



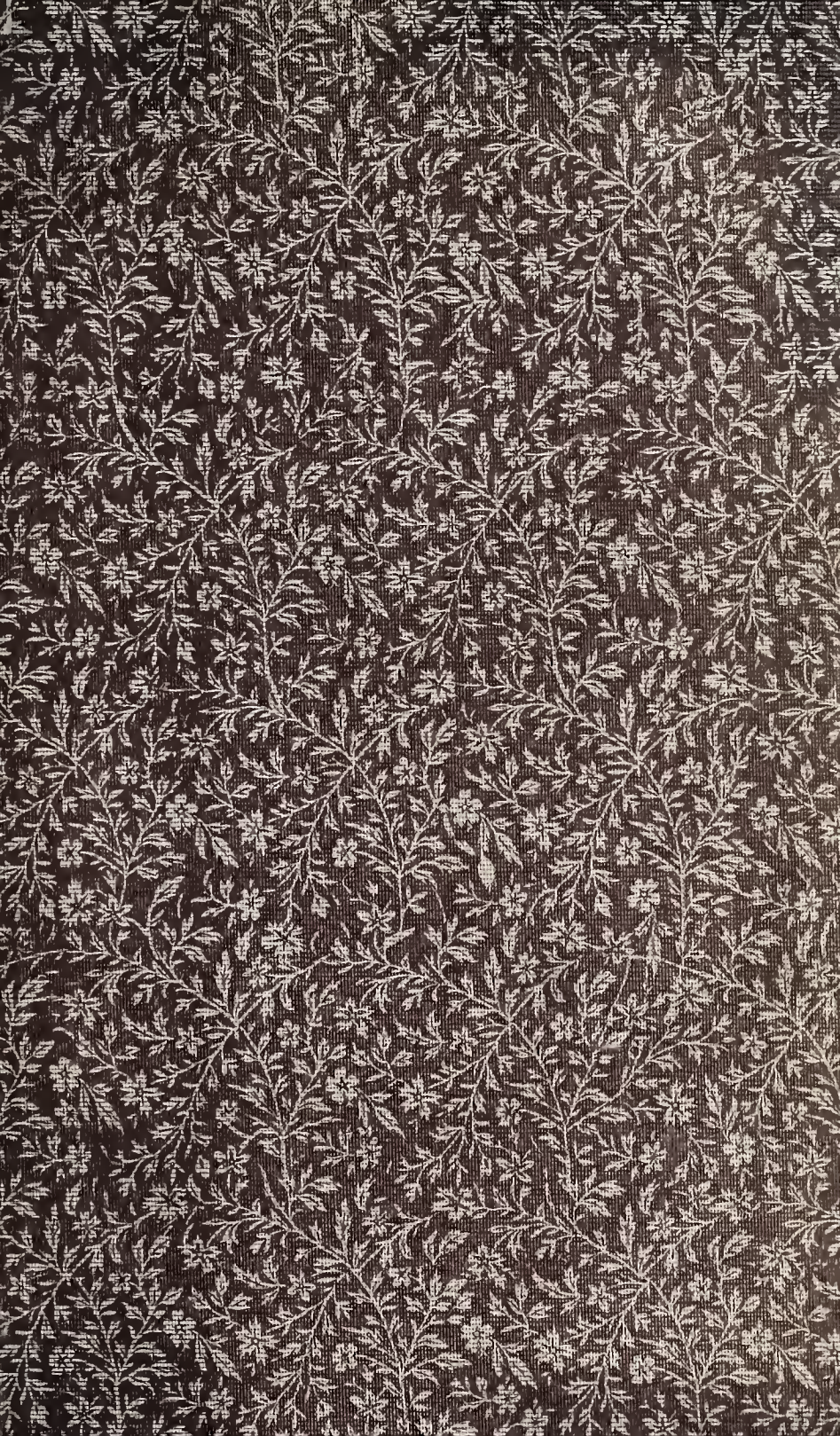
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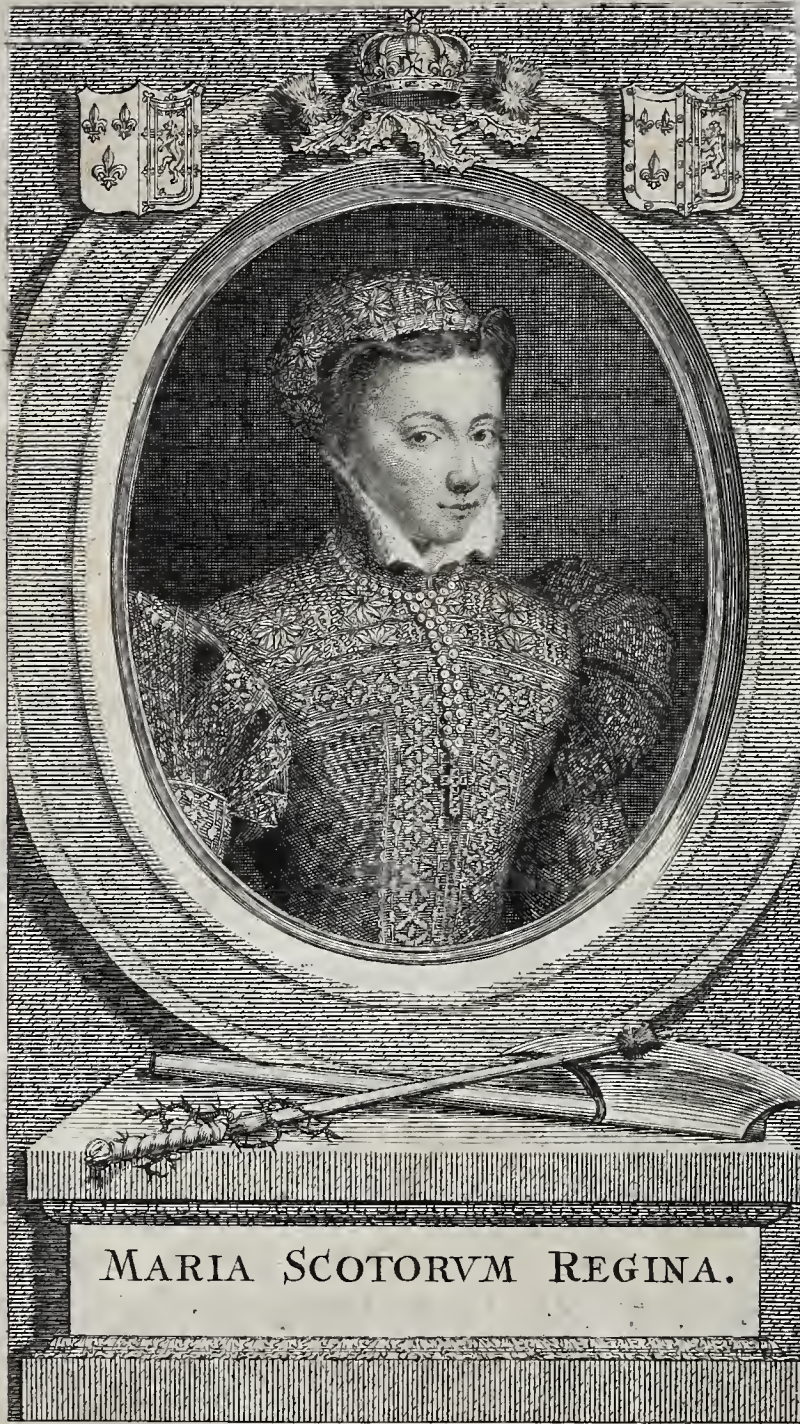
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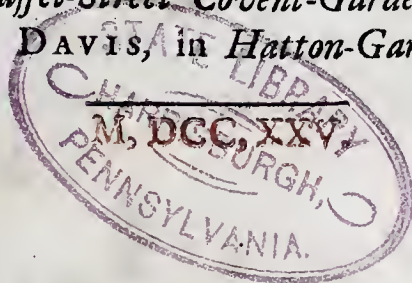
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HISTORY
OF THE
LIFE and REIGN
OF
MARY
QUEEN of SCOTS,
AND
DOWAGER of FRANCE.

Extracted from Original Records and Writers of Credit.

LONDON:

Printed for J. WOODMAN and D. LYON,
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THE HISTORY OF THE

AMERICAN PEOPLE



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THE PREFACE.



THE several Writers, who have been concern'd in giving us the story of this unfortunate Princess, have been either so extravagant in her praises, as to allow no human errors to have fallen to her share, or otherwise have heap'd upon her such a load of infamy, as to make her appear a very monster in wickedness. The Reformation had then divided the world into parties, and as her Majesty was zealous in the cause of the *Romish* Religion, 'twas lookt upon as the distinguish-

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ing mark of a good Protestant, to tarnish her character, and blacken her reputation. But these Gentlemen might have consider'd, that slander and defamation are but a bad support to a good cause, and that it seems an unacceptable method of serving God, to do it in the language of the Devil. On the other hand, the *Roman-Catholicks*, respecting her as a Martyr for the Church of *Rome*, have swell'd their Panegyricks to an equal excess, whilst they have represented her as a perfect pattern of purity and virtue, without any blemish or abatement. God Almighty does not require, that we should bear false witness for him; and 'tis as profitable a lesson in morality to expose the weakness of all human sufficiency, in the fall of a *David* or a *St. Peter*, as to dwell upon the unerring perfections of a *Jab* or a *Daniel*,

The

The accusation of the Queen of *Scots* appears to have been principally founded upon conjectural evidence, upon her dis-inclination to the Lord *Darnley*, her regards for *Bothwell*, and certain letters she is suppos'd to have written to him. These letters were the chief support of the charge, and yet they seem to carry about 'em pretty evident marks of forgery and fraud. The ^a story is, that upon the Queen's imprisonment in *Lochleven*, *Bothwell* sent *Dagleish*, one of his servants, to Sir *James Balfour*, the Keeper of *Edinburgh-Castle*, for a small silver Cabinet, in which he reserv'd all the letters the Queen had at any time written to him; that Sir *James Balfour* deliver'd the Cabinet, but at the same time gave notice to the Lords of what *Dagleish* carried, who caus'd him

^a Buchan. rer. Scotie. lib. XVIII. p. 364. Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 208.

to be apprehended, and found these letters upon him. Now we ^b learn from Sir *James Melvil*, that *Balfour* had abandon'd the party of *Bothwell* long before, had openly join'd with the Lords, in their design to crown the Prince, and had held out the Castle of *Edinburgh* against him. And it cannot be reasonably suppos'd, that *Bothwell* in such a case would have made his application to a profess'd enemy; or that Sir *James Balfour* would not have made his court to the Lords, upon his first desertion to 'em, by producing letters of such consequence in their favour. And this observation is confirm'd by the express testimony of *Daglish*, the reputed bearer, who, ^c we are told, when he came to die, made a so-

^b Melvil's Memoires, &c. p. 81.

^c *Bishop Leslie's Defence of Queen Marie's honour*, &c.

lemn protestation, that no such letters were ever committed to him.

The Queen's disaffection to the King, and her regards for *Bothwell*, seem indeed to have been inexcusable. For tho' it must be allow'd that the barbarous murder of her Secretary *Riccio* was a grievous provocation, and his Majesty's other misdemeanours were highly disobliging, yet she appears to have carried her resentments farther than a wife in decency should have done towards her husband. The Earl of *Bedford*, tho' order'd by Queen *Elizabeth* to make no acknowledgment of his Regal Character, is yet reported to have lamented the aversion her Majesty express'd towards him. And tho' he follow'd her whithersoever she went, and gave all possible signs of concern and repentance for his past mistakes, she shew'd no manner of countenance to-

wards him, till after his indisposition at *Glasgow*. In the mean while the whole management of affairs was committed to the Earl of *Bothwell*, and at his instance the banish'd Lords were recall'd and restor'd to favour, tho' more deeply concern'd in the Assassination than the unfortunate Prince. Nor is it reasonable to imagine, that a Lady of the Queen of *Scots* constancy and courage would have been forc'd to submit to a marriage with the supposed murderer of her former husband, if the motives of love had not conspir'd with the reasons of state. For tho' *Bothwell* had been acquitted of the murder in a legal Tryal, and I'm inclin'd to think her Majesty might believe him innocent, yet she could not but be sensible, that to marry a man suspected of so horrid a villany, and who had but lately before been married to another, could never
be

be a circumstance of any advantage to her honour. And 'tis farther ^dalleg'd, that even after she was convinc'd he could not be her lawful husband, she express'd an unjustifiable fondness for him, in a letter she wrote to him the very night she had surrender'd her self into the hands of the Lords, and given 'em her word, that she would from thenceforward put him out of her mind.

The Reader will observe, that in the following Sheets I have been scrupulously exact in the mention of the several Writers, from whom I have borrow'd the facts I have related. By this means he may the more easily judge of the truth of the relation, by having recourse to the original Writers, from whence it is taken. I have been particularly indebted to Mr. *Camden's History of Queen Elizabeth*, who seems to

Melvil's Mémoires, &c. p. 85.

ad

have

have taken a great deal of pains in compiling the story of our unfortunate Princess. And I the rather mention him upon this occasion, as he has been lately charg'd with fraud and imposture in the description he has given us of *Scotish* affairs.

The author of the accusation is Mons. *de Rapin Thoyras*, who has lately sent abroad a voluminous History of our own Country in the *French* tongue, and I may venture to affirm, if a judgment is to be form'd of the rest from the account he has given of the Queen of *Scots*, with all imaginable want of accuracy and judgment. To give the Reader a specimen in the case before us. *Camden* is ^e charg'd with having forged the Protestation presented to Queen *Elizabeth*, by the Earls of *Huntley* and *Argyle*, upon the Assassination of the Lord

^e Histoire d'Angleterre, &c. liv. XVII. p. 280, & seq.

Darnley,

Darnley, in favour of the scheme he is said to have devis'd for the justification of the *Scotish* Queen. Now if *Monf. de Rapin Thoyras* had been in the least acquainted with the Records or Writers of those times, he must have known, that besides the original Copy, which *Mr. Camden* tells us he had seen, there was an attested Copy annex'd to the Reply, which was given in to *Queen Elizabeth's* Commissioners at *York*, by the Queen of *Scots* Deputies, within less than two years after the murder was committed. His reasonings upon this occasion do equally betray his unexactness and ignorance of fact. To instance in one or two of 'em. He endeavours to prove this Protestation a forgery from internal evidence, because he tells us the fact related in it is said to have happen'd when the Queen lay at *Cragmilar*, in the month of *September*,

ber, 1566. but a few days before the murder was committed; whereas the King was not kill'd till the beginning of *February* following, about five months after. But here he has been either guilty of very gross negligence, or is himself to be charg'd with the fraud he would undeservedly throw upon *Camden*. For in all the Copies of Mr. *Camden's* History, as well as in all the other Copies of the Protestation itself, this matter is said to have pass'd, not in *September*, but in *December*, and consequently but about one month before the King's death. Again, he argues, that this Protestation must needs be forg'd, because Secretary *Lidington* is therein nam'd amongst the contrivers of the King's murder. Now he^f says *Lidington*, whom by a great mistake he calls Earl of *Li-*

^f Le Comte de Liddington n'a jamais été accusé, que dans ce seul Ecrit, d'avoir fait tuer le Roi Henri.
Ibid. p. 285.

dington,

Lidington, was never charg'd with the King's murder, except by the compiler of this Protestation. And yet there is no fact more universally mention'd by all the Writers of those times, than the accusation and imprisonment of *Lidington* upon this score. A process was actually form'd against him by the Regent *Murray*, and his Council, for having murder'd the King, and his execution was solely prevented by the courage and conduct of the Laird of *Grange*. Even his own ^s *Buchanan* and Sir *James Melvil*, whose authority he would in vain oppose to Mr. *Camden's*, are particularly large upon this subject. But his mistakes of this kind are without number.

The Reader may farther take notice, that I have seldom produced the testimony of *Thuanus*. For how deserving

^s Buchan. rer. Scotie. lib. XIX. p. 383. Melvil's Memoires, &c. p. 100.

soever the great Historian may otherwise have been, his authority in the business of *Queen Mary* is of little consequence. His whole account is nothing more than a bare transcript from the *Scottish History of Buchanan*, and very often in his express words. And now, if I have been mistaken in any instance, I must beg the Reader would impute it as an error in judgment, and not a fault of my inclination. For this I may faithfully assure him, that I have endeavour'd as much as possible to avoid partiality, and represent things as I have found 'em.



THE
L I F E
O F
M A R Y
Queen of S C O T S.



MARY, Queen of *Scots*, and Dowager of *France*, was the daughter and heir of *James* the fifth, King of *Scots*, by *Mary* of *Lorraine*, his second Queen, and Dowager of the Duke of

of *Longueville*. ^a She was born on the eighth of *December*, in the year 1542, and was not eight days old, when her Father died. Upon the King's death there arose great dissensions among the Nobility, who should have the administration of publick affairs, and the guardianship of the Infant-Queen. The ^b Cardinal of *St. Andrews* produc'd a Will, which he had drawn up by the assistance of one *Henry Balfour*, wherein it was declar'd that the government of the kingdom, during the minority, should be committed to himself, and the Earls of *Huntley, Argyle* and *Murray*. But as this ^cdelegation was ill-supported, and the office belong'd of right to the Earl of *Arran*, as the next of blood to the Crown in legitimate descent, and the first Peer of *Scotland*, he was nam'd Governour of the kingdom by the unanimous decree of the Nobility and People, and Guardian of the Queen,

^a De reb. gestis Scotorum, autore Jo. Lestæo, Episc. Ross. lib. X. p. 463.

^b Spotiswood's *History of the Church of Scotland*, lib. II. p. 71. Buchan. rer. Scotie. lib. XV. p. 281. Melvil's *Memoires*, &c. p. 6.

^c Ibid. & Lest. de reb. gest. Scotor. lib. X. p. 463, & seq.

according

according to the laws and customs of the country ; and this declaration was publish'd by their authority at *Edinburgh* the 22^d of *December*, the Cardinal and his adherents protesting against it. In the mean time the Queen remain'd with her mother in the Royal Palace of *Linlithgow*.

Whilst ^d matters were in this situation in *Scotland*, the King of *England*, having found, as he imagin'd, a favourable conjuncture for the coalition of the two kingdoms, forms a project of marrying the Queen of *Scotland* to the Prince of *Wales*, at that time about five years old. With this view he sends for the Earls of *Cassils* and *Glencairne*, the Lords *Maxwell*, *Fleming*, and *Gray*, with some others of the *Scotish* captives, to make haste to him to *Hampton-Court*, where he then was. He receives 'em with all the marks of affection and regard, lays before 'em his intentions, shews 'em how advantageous such a marriage must be to both kingdoms, and determines to send them back into *Scotland*,

^d Buchan. rer. Scotie. lib. XV. p. 281, 282. Lessl. de reb. gest. Scotor. p. 464. Spotswood's *Hist. of the Church of Scotland*, p. 72. Vit. Mariæ Stuartæ Scotor. Reginae, autore G. Conaëo, p. 8.

there to propose the affair, and in his name to concert measures, where the Queen should reside, 'till the time for the marriage drew nigh.

1543. The ^e Lords come to *Edinburgh* on the 15th of *January*, and make known to the Governour the disposition of the King of *England*. He calls a Parliament to debate the business, which met on the 27th of *February*. And here the Cardinal interposing with too much vehemence, by a vote of the House, is committed to custody in the castle of St. *Andrews*; from whence, at the intercession of the Queen-Mother, he was soon after deliver'd. In this Parliament was present Sir *Ralph Sadler*, the *English* Ambassador, who by reminding some of their promises, and ^f distributing large sums of money among the rest, gain'd his cause without much difficulty. A marriage is concluded, and a treaty of peace form'd for ten years next ensuing, and an embassy is sent into *England* to ratify these transactions, which being sign'd and seal'd on both sides, they return into *Scotland*.

^e Lessl. dereb. gest. Scotor. p. 465. Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 72.

^f Buchan. rer. Scotie. lib. XV. p. 282.

When

When the King of *France* had notice of what was thus carrying on in *Scotland* between the Governour and the King of *England*, he was not a little uneasy. He ^s sends therefore the Earl of *Lenox*, who had been brought up in *France*, with all speed into *Scotland*, with letters to the Governour and others of the Nobility, in which he persuades 'em, to maintain the antient amity of the two Crowns, and not to enter into any league with *England*; and makes large promises of assistance in case it was necessary; and the King of *England* should defend his quarrel by force of arms. The Earl of *Lenox*, upon his arrival in *Scotland*, makes a long harangue to this purpose; but finding the Governour with a strong party inclin'd to favour the pretensions of the King of *England*, at the advice of the Cardinal and the faction of *France* he retires into the West to visit the Queen-Mother. After some deliberation, 'tis determin'd to call together the heads of the *Gallican* party, to consult what was farther to be done at this con-

^s Lessl. de reb. gest. Scotor. lib. X. p. 466. Buchan. rer. Scotic. p. 284. Conaei Vit. Mar. Stuartae, Scot. Reg. p. II.

junction, there being some cause to apprehend, that the Governour and his adherents would attempt to deliver the Queen into the King of *England's* hands. And here 'twas resolv'd, that the Earl of *Lenox* should claim to himself the right of guardianship to the infant Queen, as being the next in legitimate descent of the Blood Royal, exclusive of the Earl of *Arran*, whom they pretended to be born of a doubtful marriage.

The ^h Governour finding he was unable to resist the power of his adversaries, and being naturally of an easy disposition, endeavours to bring matters to an amicable issue. And thus 'twas agreed, that the Queen should be brought to *Stirling*, and the care of her education committed to four persons of distinction, who were attach'd to neither party. Upon this agreement the Queen attended by her mother and a numerous army leaves *Linlithgow*, and in *September* following was solemnly crown'd at *Stirling* in the presence of the States, who were assembled there upon that occasion. The ⁱ Earls of *Angus*, *Glencairne*, and *Cassils*, the Lords *Maxwell*,

/ ^h Buchan. rer. Scotie. lib. XV. p. 284.

ⁱ Less. de reb. gest. Scotor. lib. X. p. 467.

Gray, and some others, who were in the interest of the King of *England*, did not appear ; and at their persuasion the Earl of *Lenox*, disgusted that the Earl of *Arran* should be restor'd to favour, withdraws from Court, immediately as the Coronation ceremony was over.

As soon as the King of *England*^k learnt, that the Queen was remov'd to *Stirling*, that she had been publickly crown'd, and the Governour present at the Coronation, he began to suspect, the Cardinal might so far prevail, as to convey her over into *France*. He therefore orders his Embassador, Sir *Ralph Sadler*, to demand of the Governour and the Lords, that the Queen might be brought into *England*, accompanied by a select number of the nobility ; for 'twas but reasonable she should continue there, 'till the rites of matrimony were perform'd. The *Scots* refuse to comply with this proposition ; and the King resents the refusal, and raises a vast army both by sea and land.

^k Less. de reb. gest. Scotor. p. 467. Buchan. rer. Scotic. p. 286.

In the mean time the ¹Patriarch of *Venice* arrives in *Scotland*, a Legate from the Pope, with commission to dissuade the alliance with *England*, as conducing to the subversion of religion, and introduction of heresy. He was attended with the Commissioners of *France*, and large sums of money, which were sent to the Governour, that he might the better defend the country from the invasions of the *English*. But the ^mEarl of *Lenox*, inform'd of their landing, takes post to meet them, makes a seizure of the money they had brought, and conveys it to the castle of *Dunbarton*, whither he had retir'd; and having collected a body of troops, marches towards *Leyth*, with the Earls of *Angus* and *Glencairne*, designing to fall upon the Governour. However, by the mediation of the Cardinal and the Earl of *Huntley* these differences were compos'd, hostages given on both sides, and a solemn protestation drawn from the Earl of *Lenox*, that he would constantly adhere to the Governour. But with-

¹ Lessl. de reb. gest. Scotor. p. 468, 472. Strad. de bell. Belgic. dec. II. lib. 8. p. 553. Con. vit. M. Stuar. Scot. Reg. p. 15.

^m Lessl. de reb. gest. Scotor. lib. X. p. 468.

in six days after, as the Earl of *Arran* was upon his road to *Linlithgow*, the Earl of *Lenox* steals from him by night, takes possession of *Glasgow*, and fortifies it against him ; and having done this, withdraws to his castle of *Dunbarton*, designing there to reinforce his army by fresh recruits.

The "Governour upon certain advice of the Earl's revolt, and his preparations at *Glasgow*, musters up what forces he could on the sudden, and marches directly thither, with a resolution to oppose him. Upon which the Earl of *Glencairne*, not waiting for the Earl of *Lenox*'s return, draws his army out into a plain, about a mile's distance from the town, and puts himself into a posture to receive the attack. The Governour gives orders for the fight, and after a sharp engagement, where the victory stood long doubtful, at last comes off triumphant. This ill success moves the Earl of *Lenox* to sue for peace ; and the Earl of *Angus* with the Lord *Maxwell* undertake to mediate the affair : but the Governour instead of hearkening to their propositions throws these two

ⁿ Less. de reb. gest. Scotor. p. 468, 469. Buchan. rer. Scotic. p. 287.

Lords into custody in *Hamilton* - castle, whence he afterwards remov'd the Earl of *Angus* to *Blacnes*.

The ° Earl of *Lenox*, reduced to these extremities, makes application to *Henry* King of *England*, and implores his assistance against the Governour. The King complies with his request, promises his aid, and to gain him over more effectually to his interests, engages to give him in marriage the Lady *Margaret Douglas*, his niece. In the mean time in a Parliament held at *Stirling* the Earl is pronounc'd guilty of high-treason, and his estate confiscated.

1544. In the following spring the King of *England* orders an army into *Scotland* under the command of the Earl of *Hertford*, accompanied with a fleet of two hundred sail under the direction of the Lord Viscount *Lysle*. In the beginning of *May* they enter'd the *Forth*, and landed over-against *Leyth* with twenty thousand men. The Governour, finding himself too weak to resist 'em, sends to the Earl of *Hertford*, to demand the rea-

° Lest. de reb. gest. Scotor. p. 470.

p Lest. de reb. gest. Scotor. p. 472. Sanderson's *Hist. of Mary Queen of Scots*, p. 10.

son of such warlike preparations in a time of peace ; and to assure him, that if the King of *England* had receiv'd any grievance, this should be redress'd without coming to blows. The Earl made answer, that if the *Scots* would give up their Queen into the hands of the King of *England*, he would stop the progress of his expedition ; but if not, he would lay waste their country with fire and sword. To this it was replied, that the *Scots* would undergo the last extremities, rather than comply with such unreasonable demands. Upon this the Governour fortifies the castle of *Edinburgh*, and withdraws to *Stirling*. The *English* tarry all night at *Leyth*, and the next morning begin their march towards *Edinburgh*, and set fire to the city. The Governour sets at liberty the Earl of *Angus*, and the Lord *Maxwell*, and raises an army with all possible expedition. At this the *English* ravage the country, burn the villages, and loaden with the spoil retire to their ships ; and the land-army in like manner returns to *Berwick*. The Earl of *Lenox*, his brother the Bishop of *Cathnes*, with some other persons of distinction, follow after the *English* army, and meeting with a prosperous gale arrive

arrive safe at *Westchester*, and soon after present themselves before the King. ⁹He receives 'em in an honourable mannér, fulfils his promise to the Earl of *Lenox*, marries him to his niece the Lady *Margaret*, and puts him in possession of certain lands in *England* by way of dowry; and farther engages for the restoration of his estate in *Scotland*, with the government of the kingdom, upon condition he would give into his hands the castle of *Dunbarton*. The Earl accepts the condition, and with a select number of troops sets sail for *Scotland*. But upon his arrival, he falls short of his expectation, and the castle is held out against him by *Sterling* the Governour. Upon this the *English* commit great depredations on the Western borders.

1545. The next year the ¹*English* again make an incursion into *Scotland*, and cause great havock wherever they come. The Governour falls in with 'em at a small village named *Ancram*, and by the prudent advice of *Walter Scot*, Laird of *Beauchleugh*, gains a

⁹ Buchan. rer. Scotic. lib. XV. p. 288. Lest. de reb. gest. Scotor. lib. X. p. 475.

¹ Lest. de reb. gest. Scotor. p. 477. Buchan. rer. Scotic. p. 289, & seq.

compleat victory. In this battle the Earl of *Angus* distinguish'd himself in so particular a manner, as to remove all suspicion of his being in the least attach'd to the interests of *England*. Not discourag'd at this overthrow the King of *England* gets ready a second army, commits it to the care of the Earl of *Hertford*, and sends it against *Scotland*. The Earl marches with his forces by *Coldingham*, and along the banks of the *Twede*, and sets fire to *Kelfo*, and some other towns, which were situate on the borders of the river. But the Governour, having receiv'd a supply of five thousand men from *France*, joyns 'em with his other forces, and bends his course towards the *English* army. Upon advice of this, the Earl of *Hertford* retires out of *Scotland*. The Governour follows after him, enters the *English* borders, lays waste the country, and returns back with a considerable booty; and quartering the *French* troops in the neighbouring towns to defend the frontiers, disbands his army.

About this time the ^fCardinal prosecutes 1546.
several persons in *Scotland* for reading the

^f Spotiswood's *Hist. of the Church of Scotland*, p. 75, & seq. Buchan. rer. Scotie. p. 291, & seq.

New Testament ; and in *March* following *George Wishart*, a person of family and character, is by his procurement condemn'd as an heretick, and publickly burnt. This severity gave great offence, and is esteem'd as one principal cause of the conspiracy, which was soon after form'd against the life of the Cardinal himself. For at the latter end of the next *May*, ^v eight or nine *Scots* Gentlemen, having enter'd into the castle of *St. Andrews* by surprise, rush into his chamber, and there barbarously murder him, before any could come to his assistance ; and then they seize upon his treasure, fortify the castle, and stand upon their defence. Upon this they are declar'd traitors, and their goods confiscated : And not long after the Governour advances towards *St. Andrews*, and lays siege to the castle. But this had been made so strong by the Cardinal, that his attempt prov'd un-

^{*} Lest. de reb. gest. Scotor. lib. X. p. 480.

^v Archbishop *Spotiswood* makes the number of the conspirators to have been about twelve, *Hist. of the Church of Scotland*, p. 83. *Buchanan* mentions sixteen ; five or six of which only enter'd the Castle, and the other ten remain'd without, expecting the signal. *Rer. Scotic. lib. XV. p. 295.* Sir *James Melvil* imputes the Cardinal's death to the persuasions of the Earl of *Angus* and his brother Sir *George Douglass*. See his *Memoirs*, p. 7.

serviceable.

serviceable. The Conspirators apply for aid to the King of *England*. He grants 'em their demand, and sends a navy to their support. But by the Governour's management all passages were so closely block'd up, that they found no means of relieving the besieg'd, but were oblig'd after some loss to return into *England*. However the garrison maintain'd their ground 'till the close of the next summer, and then upon the arrival of the *French* fleet, they surrender'd almost at discretion.

On the 28th of *January* next died *Henry VIII.* King of *England*, and was succeeded by his son *Edward VI.* who was then about nine years old. His Uncle the Earl of *Hertford* is chose Protector of his realm, and Governour of his Person. At this time a severe ^wplague raged in *Scotland*, especially about *Dundee*, *Aberdeen*, and the parts adjacent, so that this kingdom was at once visited by those three dreadful scourges, the Sword, the Famine, and the Pestilence.

On the last day of *March* this same year died *Francis I.* King of *France*, and was

^w Less. de reb. gest. Scotor. p. 483.

succeeded by his son King *Henry II.* who immediately sent over an *Embassador into *Scotland*, Monsieur *D'Oysell*, to confirm the alliance, which had formerly pass'd between the two Crowns. This Embassador was kindly receiv'd, and after mutual protestations of friendliness and regard, determines to continue in *Scotland*.

The Earl of *Hertford*, Protector of the realm of *England*, and lately created Duke of *Somerset*^y, insists upon the former quarrel, levies an army, fits out a fleet, commits it to the care of the Lord *Clinton*, and marches himself at the head of his troops into *Scotland*. The Governour on the other side draws together his forces, and encamps at *Inveresk*, designing there to wait for the coming up of the *English* army. The Protector in the mean time moves forward, and advances as far as *Preston*, within a mile's distance of the enemy. And here he ^zwrites a letter to the Governour, in which he lays before him " the blessings of peace

* Less. de reb. gest. Scotor. p. 483.

^y Ibid. p. 484.

^z Buchan. rer. Scotic. p. 297. Godwin's *Annals* ad an. 1547. Spotiswood's *Hist. of the Church of Scotland*, p. 88. Sanderson's *Hist. of Mary Queen of Scots*, p. 12.

" and

“ and the calamities of war ; that the marriage, fought by the *English*, had been solemnly agreed to by the *Scotch* Nobility ; that the Queen could not always live single, and since she must have an husband, none seem'd so proper, as a Prince, who was born in the same island, nearly allied in blood, brought up under the same laws, and spoke the same language ; that the advantages arising from such an alliance would be greater to the *Scots* than to the *English* ; and farther, that they requir'd no more than a renewal of the former league, and that the Queen should not be convey'd beyond sea, nor married to any foreign Prince.”

The Governour, resolving to try the fortune of the field, suppresses the contents of this letter, and ^agives out, that no peace could be made with *England*, unless the Queen was deliver'd up into their hands, and the country put under subjection. The *Scots*, enraged at these proposals, are impatient for the battle. The two armies meet near *Musselburgh* ; and after a fierce engagement on both

^a Buchan. rer. Scotie. lib. 15. p. 297, seq.

sides for some time, the *Scots* are entirely defeated. There fell that day upwards of ^b eight thousand men, among whom were many of the chief Nobility. The Queen upon this disaster is entrusted to the care of her mother, and convey'd into the isle of *Inchemahom*. And here ^c she first laid the foundation of her knowledge in the *Latin* and *French*, the *Spanish* and *Italian* tongues, in which she afterwards arriv'd at so great perfection, that few were found to equal her in any of them, and none that was superior in 'em all.

The ^d Governour with the remains of the *Scotish* army retire to *Stirling*, and the next day the *English* set forward towards *Leyth*, take possession of the desert Islands of *Inch-Keith* and *Inch-Colme*, lay siege to the Forts of *Hume* and *Fastcastle*, upon surrender put garrisons in them and some other places, plunder the country, and return.

^b Lest. de reb. gest. Scotor. p. 487.

^c Vit. Mariae Stuartae Scot. Reg. autore G. Conaeo, p. 17, seq.

^d Lest. de reb. gest. Scotor. p. 488. Buchan. rer. Scotic. p. 299. Spotiswood's *Hist. of the Church of Scotland*, p. 89.

The Governour calls a ^eCouncil of the Nobility at *Stirling*, where were present the Queen-Mother and the *French* Embassador, to consult upon proper remedies in so sad a conjuncture. And here 'twas resolv'd to sollicit the protection of the King of *France*, by whose assistance the *English* might in a short time be thrown out of *Scotland*. The Queen and *D'Oysell* engage to prevail upon the *French* King to comply with their demands ; but farther urge, that 'twould be expedient to transport the young Queen into *France*, there to remain, 'till she should be of age to marry with the *Dauphin*. To this after some debate the Nobility agreed, and the determination being afterwards confirm'd by the Estates in Parliament, the Queen is remov'd to the castle of *Dunbarton*, there to attend the arrival of the *French* fleet.

In the beginning of the next year the *En-* 1548.
glish fortify ^f*Haddington*, and by making frequent excursions from thence do much damage to the country. But the Governour, having receiv'd a reinforcement from *France*

^e Buchan. rer. Scotic. p. 299. Lest. de reb. gest. Scotor. p. 488, 490.

^f Lest. de reb. gest. Scotor. lib. X. p. 491, seq.

of six thousand men, lays siege to the Town, but with little success.

Whilst affairs stood in this posture, the Parliament met in a Monastery not far from the place, and in the presence of the *French* Embassadors, renew'd the alliance between the two kingdoms. And here 'twas agreed by common consent, that the ⁸ Queen should within a few months be transported into *France*, and married to the *Dauphin*; and this agreement was confirm'd by a publick Instrument, drawn up as was usual on such occasions. Upon this, Mons. *Vilgagnon*, who had the command of the *French* convoy, loosing from *Leyth* with a direct wind set sail for *France*; but no sooner was out of sight, than changing his course to the North, he sail'd round the *Orcades*, and made towards *Dunbarton*, where the Queen lay; and having receiv'd her on board, with the Nobility appointed to attend her, after a rough passage, landed safe at *Brest*, a sea-port town on the coast of *Brittany*. From

⁸ Buchan. rer. Scotie. lib. XV. p. 300. Less. de reb. gest. Scot. lib. X. p. 493, seq. Con. Vit. M. Stuart. Scot. Reg. p. 18, seq. Spotswood's *Hist. of the Church of Scotland*, p. 89, 90.

Brest the Queen pass'd on to the royal castle of *St. Germain's*, where she stopt and waited for the coming up of the King, who was at that time employ'd in the quieting of some disorders, which had arose in the heart of his dominions. The King receiv'd her with all imaginable expressions of joy, appointed her an honourable retinue, which as she advanc'd in years he took care to encrease in proportion, so that nothing was wanting to her in magnificence, which might be worthy the Queen of *Scotland*, or the Daughter of *France*.

When ^hshe had tarried some few days at Court with the King and Queen, she was convey'd to a Monastery, where were educated the daughters of the chief Nobility of the Kingdom; and here she spent her time with so much pleasure and satisfaction, that she seem'd as if form'd for a monastick life. She was constant in all the offices of devotion, and so strictly observant of the directions, that were laid before her for the conduct of life, and regulation of her manners, that she drew upon her the admiration of

^h Con. Vit. Mar. Stuart. Scot. Reg. p. 22, seq.

all who beheld her. Upon her return to Court, she selected for her companions such as had distinguish'd themselves by some extraordinary preeminence of virtue. She plac'd much of her study in learning the modern languages, and to these she added the *Latin*, which she understood to a degree of perfection. She was naturally inclin'd to Poetry, and made so great a progress in this art, as to be a writer her-self; and her ^kcompositions were much esteem'd by Monsieur *de Ronsard*, who was at that time the best Poet in *France*. She ^lhad a taste for Musick, and play'd well upon several instruments; was a fine Dancer, and sat a horse gracefully; but these last accomplishments she pursued rather out of necessity, than choice; and when she follow'd most her own inclinations, she would be employ'd amongst her women in needle-work and embroidery. Her person was extreamly beautiful, one might discern in her countenance a majesty intermix'd with sweetness,

^l Memoires de Monfr. de Brantôme, p. 109, 110. Con. Vit. Mar. Stuart, Scot. Reg. p. 25, 26.

^k Memoires de Brantôme, p. 110.

^l Con. Vit. M. Stuart, Scot. Reg. p. 26, 27. Melvil's *Memoirs*, p. 50.

and when^m clad in her High-land habit, she would look like a Goddess in Masquerade.

But to return to *Scotland*. The ⁿProtector of *England*, that he might relieve the besieged in *Haddington*, sent 'em a supply of two thousand horse under the command of Sir *Robert Bowes*, and Sir *Thomas Palmer*. These by the management of the Earl of *Hume* were drawn into an ambuscade, and lost eighteen hundred of their company. *Buchanan* ^o makes their numbers no more than a thousand foot, and three hundred horse. But whatever they were, they miscarried almost to a man.

The Duke of *Somerset*, ^p inform'd of this disaster, gives orders for the raising of new recruits, and within a short time after sends the Earl of *Shrewsbury* into *Scotland*, with an army of sixteen thousand men. Upon this *Dessie*, who commanded the *French* ar-

^m Memoires de Brantôme, p. 111.

ⁿ Less. de reb. gest. Scot. lib. X. p. 495. Godwin. Annal. ad ann. 1548.

^o Buchan. rer. Scotie. p. 301. Sanderfon in his History of Mary Queen of Scots calls this succour thirteen hundred horse, p. 14.

^p Godwin. Annal. ad ann. 1548. Less. de reb. gest. Scot. p. 495.

my in chief, quits the siege and retires. The *English* General relieves the garrison, and marches back to *Berwick*.

The *Scots* were somewhat more fortunate at *Hume* and *Fastcastle*. At *Hume* an old soldier, who knew the place, climb'd the rock with some of his fellows undiscern'd, kill'd the Centinels, and carried the castle. *Fastcastle* was in like manner taken by stratagem. The Governour had given orders to the neighbouring Countrymen to bring in provisions on a certain day ; the soldiers disguis'd like peasants were present at the time appointed, and entring the fort with the provisions on their backs, threw down their burdens on the bridge, give the signal to their friends, kill the guards, and recover the place. The *English* were withal unsuccessful in what they attempted by their fleet. For the Lord-Admiral *Seymour*, having landed his men in *Fife*, as they ravag'd the country, they were drawn into an ambuscade, and suffer'd a considerable da-

^a Lessl. de reb. gest. Scot. p. 500, 505. Buchan. rer. Scotic. p. 300. Sanderfon's *Hist. of Mary Queen of Scots*, p. 14.

^r Lessl. de reb. gest. Scotor. lib. X. pag. 495, seq.

mage. They retir'd to their ships with all possible speed, and reimbarc'd with the loss of eight hundred men.

In the mean time 'Monsieur de Termes 1549. is sent over into *Scotland*, with a reinforcement of fresh troops, and to succeed Monsieur *Dessie* in his office of general command. Upon his arrival, *Dessie*, to advance his reputation, recovers the Isle of *Keith*, which had been taken by the *English* a few days before, and forces the enemy to a surrender. And having done this, he gives up the Army into the hands of Monsieur de *Termes*.

And now the 'English finding it impossible to keep *Haddington*, unless at the expence of a numerous army, and being pressed at the same time with a war in *France*, and the garrison withal diminish'd by a plague, which had carried off many of the soldiers, the Earl of *Rutland* marching with a vast body of troops, conveys to *Berwick* the remainder of the men and artillery, after hav-

' Buchan. rer. Scotic. lib. XV. p. 302. Lessl. de reb. gest. Scotor. p. 503.

' Lessl. de reb. gest. Scotor. lib. X. p. 505. Sander- son's *Life of Mary Queen of Scots*, p. 14.

ing first raz'd the fortifications, and set fire to the town.

1550. *Haddington* ^v being in this manner deserted by the *English*, the *Scots* and *French* be-think themselves of recovering the other forts, which remain'd in the enemy's hands. The first, which presented itself, was *Broch-tay-castle*. This was a strong place, which lay in the heart of the country, not far from *Dundee*; and there were hopes, could they make themselves masters of this, they would soon find there was not much difficulty in subduing the rest. For this reason in the *February* following Monsieur de *Termes* marches with his army as far as '*Dundee*, and so blocks up all passages both by sea and land, that to send relief to the besieged was altogether impracticable. The garrison, finding no prospect of a supply, provide for their safety, and come to a surrender. Upon this the Governour with the *French* General direct their force against *Lauder*. And here the *English* for some time maintain their ground, and make stout resistance. But being reduc'd to the last ex-

^v Less, de reb. gest. Scotor. lib. X. p. 505, seq.

tremities, as they were upon the point to capitulate, news was brought 'em of a treaty of peace. By this treaty, which was form'd at *Boulogne*, all the forts and castles, which the *English* had built on the borders of *Scotland*, were to be demolish'd. This peace was proclaim'd at *Edinburgh* the succeeding *April*, and afterwards throughout the whole kingdom, to the great joy and satisfaction of the people. And thus was *Scotland* freed from the miseries of a cruel war, which had rag'd for nine successive years, without almost any intermission. The peace being concluded, 'twas judg'd proper to disband the army, and dismiss the foreign forces into their respective countries.

All things being thus settled both at home and abroad, the ^wQueen-Mother resolves upon a voyage into *France*. Towards the close of summer she sets sail from *Leyth*, attended by a great number of the Nobility, and on the 18th of *September* lands safe at *Diepe*. From hence she passes on to *Rouen*, to meet the King, who receiv'd her with

^w Buchan. rer. Scotie. lib. XVI. p. 304. Less. de reb. gest. Scotor. p. 509.

all possible marks of inclination and regard. But upon * sight of the Infant-Queen, she hardly refrain'd from tears of joy, to see her daughter thus again, advanc'd in perfections above her years, and diffusing gladness, wherever she appear'd. From *Rouen* the Court remov'd to *Paris*, and from thence to *Blois*, where the Queen took up her residence for the following winter. And here she † consults the King about taking the Regency of *Scotland* into her own hands. He approves the design, in case the Governour could be prevail'd on to give up his pretensions. In the mean time Sir *Robert Carnegy* is sent over into *France* by the Governour, to make his acknowledgments for the services done by the *French* in *Scotland* against the *English*.

1551. At the instance of the Queen-Mother² the King calls to him the Bishop of *Rosse*, Embassador at that time in *France*, the above mention'd Sir *Robert Carnegy*, and *Gawen Hamilton*, the Abbat of *Kilkenny*,

* Con. Vit. Mar. Stuart. Scot. Reg. p. 28.

† Leil. de reb. gest. Scotor. p. 510.

² Leil. de reb. gest. Scotor. p. 511. Buchan. rer. Scotic. p. 304.

and lays open to them the whole affair; adding, that it seem'd but reasonable, the mother should be the daughter's substitute in managing the administration. And that the Governour might with the more readiness be brought to a compliance, he promises to create him Duke of *Chastelherault*, to confer upon his son the command of the *Scottish* guards, and to bestow such other favours upon his family and friends, as should be most agreeable to him. With this message Sir *Robert Carnegy* is dismiss'd into *Scotland*, and is soon after follow'd by the Bishop of *Rosse*, who with difficulty obtain'd of the Governour to give way to the King's inclinations.

About this time the ^aMarquis of *Northampton*, and some other persons of distinction are sent over on an Embassy from *England*, with an overture of marriage betwixt King *Edward*, and *Elisabeth* the eldest daughter of *France*. The Duke of *Guise*, the Cardinal of *Lorraine*, and the Constable *Chastillon*, are ordered to manage the treaty. They come to an agreement, but with

^a Hayward's *Life of King Edward VI.*

this limitation, that neither party should be bound, till the lady was twelve years of age.

And now the Queen-Mother^b, having finish'd her visit in *France*, to shorten her journey, desires leave of King *Edward*, that she may return thro' *England*. Which request being granted, she lands at *Portsmouth*; where she is receiv'd by the Earl of *Southampton*, and the Lord *William Howard*, and honourably convey'd to the King at *Hampton-Court*. The King entertains her with all imaginable regard and magnificence, attends upon her to *London*, shews her all his treasures, whatever stood recommended for its curiosity or value: And before her departure, took occasion again to solicit her daughter in marriage, pursuant to the former determination of the *Scots* Nobility. He observ'd, “ how advantageous such an
“ overture would prove to both kingdoms;
“ whereas on the other hand, were she married to the *Dauphin*, neither *France* nor
“ *Scotland* would be much benefited by the

^b Lessl. de reb. gest. Scotor. lib. X. p. 512, seq. Con. Vit. Mar. Stuart. Scot. Reg. p. 30.

“ alliance:” He farther added, “ that he
“ was resolv’d to bear a perpetual enmity
“ with any other Prince, who should espouse
“ her.” The Queen replied, “ that the al-
“ liance with *France* was owing to the
“ Protector of *England*, who had ravag’d
“ the country in so terrible a manner;
“ that women were to be gain’d by cour-
“ tesy and address, and not to be carried
“ by force of arms; that the *Scots* were
“ under a necessity of applying to *France*
“ for protection, and sending over the Queen
“ as an hostage; that she was sorry matters
“ were brought to such an issue, as should
“ be disagreeable to his Majesty; but she
“ promis’d, to use her interest with the
“ *French* King, to procure him satisfaction.”
And thus, having first return’d his Majesty
thanks for his civilities towards her, she pre-
pares for her journey into *Scotland*. Upon her
arrival on the borders she is met by the Earl
Bothwell, the Lord *Hume*, and others of
the Nobility, who attend her to *Edinburgh*,
where she is honourably receiv’d by the Go-
vernour.

And

1552. And now peace being restor'd on all sides, the Governour, by the advice and authority of the Queen-Mother and the Nobility, makes a justiciary progress throughout the kingdom, but with a view to promote peace and reconcile differences, rather than to exercise the severities of the law. However he disoblig'd by his management, and drew upon himself the disinclination of the country. The Queen-Mother, who attended him, took advantage of this discontent, to recommend herself to the Nobility, and form'd a powerful interest against him. And now she reminds him by the Bishop of *Rosse*, of the promise he had made to resign the administration into her hands. But the Governour did not readily come in to the proposal, and seem'd unwilling to quit his office, before the time prescrib'd him by the law. Upon this the Queen withdraws to *Stirling*, accompanied by a great train of the Nobility, with a resolution there to wait,

^c Lessl. de reb. gest. Scotor. lib. X. p. 515. Buchan. rer. Scotie. lib. XVI. p. 304. Spotiswood's *Hist. of the Church of Scotland*. lib. I. p. 90.

^d Buchan. rer. Scotie. lib. XVI. p. 304. seq. Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 92. Lessl. de reb. gest. Scotor. lib. X. p. 517.

'till her daughter should be twelve years old; at which time by the laws of *Scotland*, she would be at liberty to make choice of whom she pleas'd for her protectors and guardians; 'till she came to her full age. Now the Queen had nominated as her curators *Henry* the II^d. King of *France*, the Cardinal of *Lorraine*, and the Duke of *Guise*, who had transferr'd that trust upon the Queen-Mother. She is attended in this retreat by the Earls of *Angus*, *Argyle*, *Huntley*, *Atholl*, and *Cassils*, with other persons of the first quality.

About this ^e time, in a provincial Synod 1552. held at *Linlithgow*, the decrees of the Council of *Trent*, made under Pope *Paul* III. are receiv'd, and other Canons drawn up for preventing the growth of heresy, and reforming the manners of the Clergy.

The Governour finding^f he was thus deserted by the Nobility, agrees to a composition upon these terms: That the Queen-Mother should confirm and ratify whatever

^e Spotiswood's *Hist. of the Church of Scotland*, p. 92. Lesh. de reb. gest. Scotor. p. 516.

^f Lesh. de reb. gest. Scotor. lib. X. p. 519. 521. Buchan. rer. Scotie. lib. XVI. p. 305.

had been transacted by him during the whole course of his administration ; that his accounts should be pass'd in Parliament, and he not render'd liable to any farther prosecution upon that score ; that he should be declar'd next heir to the Crown after the Queen's demise, and her successors descended from her ; and farther, that the Queen should engage to procure the Dukedom of *Chastelherault* in right to him and his heirs for ever, and in the mean time he should have possession of the Castle of *Dunbarton*, and the whole be confirm'd by an Act of the three Estates. To this end in *April* following a Parliament is conven'd, the Articles read and approv'd, and the Queen invested with the Governour's authority, who takes upon her the stile and title of Queen-Regent.

1553. Whilst these things were carrying on in *Scotland*, dies *Edward VI.* King of *England*, the 6th of *July*, 1553, and was succeeded in the throne by his eldest sister, the Lady *Mary*.

^s Less. de reb. gest. Scotor. lib. X. p. 520.

The ^h change in the Government brought 1554.
on a change in the Ministry. The *Scots* Nobility were in great measure set aside, and the Queen-Regent adher'd wholly to *French* counsels, insomuch that she hardly admitted any other than *Frenchmen* about her Person. This was highly resented by the *Scots*, and gave great occasion for after troubles. ⁱ By the direction of her brothers, the Duke of *Guise* and the Cardinal of *Lorraine*, she took all possible care to stop the progress of the Reformation, which had now made large advances in *Scotland*. But in this affair she proceeded by craft and policy, and rather discourag'd than persecuted the Reformers in the beginning of her Regency.

At the end of the year ^k *John Knox* return'd into *Scotland*, and by daily preaching, that 'twas in no case lawful to be present at Mass, first drew his hearers to a formal separation from the Church of *Rome*, and to set up opposite congregations. The Bishops

^h Less. de reb. gest. Scotor. lib. X. p. 521, & seq. Buchan. rer. Scotic. lib. XVI. p. 306.

ⁱ Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 92.

^k Spotiswood's *Hist. of the Church of Scotland*, p. 93.

were much disoblig'd by this proceeding, and made application to the Queen-Regent for redress ; but she refus'd to inter-meddle with the affair, 'till the Queen's marriage with the *Dauphin* should be over, and re-ferr'd^d the matter to their own authority.

1556. The Bishops upon this ¹summon *John Knox* to appear before 'em on the 15th of next *May* at *Edinburgh*. He was there at the time appointed, but came attended with so many of the Lords and neighbouring Gentlemen, that the Bishops judg'd proper to dismiss the Assembly, under pretence of some illegality in the form of the summons. And then at the instance of his followers he draws up a petition to the Queen-Regent, in which he presses her to favour the Reformation. This petition was presented by the Earl of *Glencairne* ; but the Queen made light of it, and giving it to the Archbishop of *Glasgow*, took no farther notice. Not long after this, *John Knox* being elected Preacher to the *English* Church at *Geneva*, accepts the charge, and upon promise to return into *Scotland*, quits the country. But

¹ Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 94.

as soon as he was gone, a new Citation is issued out against him, and he not appearing upon summons, is declar'd an Heretick, and burnt *in effigie* at *Edinburgh-Cross* the following *July*. A copy of the process being sent him by his friends, he wrote an Apology, by way of appeal from the sentence of the Clergy to the Nobility and Commons of *Scotland*.

About this ^mtime was held a meeting of the three Estates at *Edinburgh*, where the Queen-Regent at the instance of *D'Oysell, de Ruby*, and certain *Scottish* Lords, demanded of the Parliament an unusual kind of subsidy, for the defence of the borders against the incursions of the *English*. She desir'd, an exact valuation might be form'd of the lands and estates of each particular person throughout the kingdom, and a pecuniary tax impos'd upon every man's head in proportion to his fortune, for the maintenance of a foreign army to defend the frontiers ; that by this means there might be no necessity for the Nobility to have re-

^m Less. de reb. gest. Scotor. p. 525, & seq. Buchan. rer. Scotic. lib. XVI. p. 306, 307.

course to arms, unless upon some very extraordinary occasion. This demand gave great offence ; and the Lords, tho' afraid openly to oppose it, yet in private very highly express'd their resentment. But of the Commons near three hundred assembled not far from the Palace, and making choice of Sir *James Sandelands of Calder*, and Sir *John Weemes*, two of the most eminent of their company, they dispatch'd them to Court, there to expostulate the grievance, and press for an abolition of the tax. They urg'd, " that their ancestors had for many ages
" defended the Crown and their Country
" with reputation and honour ; that by the
" nature of their tenures they were oblig'd
" to be subservient to the common cause,
" and assist in person ; that 'twould be an
" infringement upon the royal prerogative
" to attempt an innovation in such a case,
" and especially at such a time, whilst the
" Queen was in her minority ; that they
" had their Country's cause as much at
" heart as their Ancestors, nor were they
" inferiour to them in fidelity or valour ;
" that therefore 'twas their part to fight
" manfully against the common enemy, and
" to

“ to venture their lives for the safety of the
“ kingdom ; that mercenary troops could
“ not possibly be so much concern’d for
“ the liberties of *Scotland*, nor defend them
“ with equal vigour as themselves, whose
“ children and families, whose lands and
“ fortunes, and every thing they held dear,
“ must be expos’d to danger, in case of an
“ attack.” To this they added, “ That the
“ revenues of the kingdom would not suf-
“ fice to maintain such a number of idle
“ people, as would be necessary to prevent
“ the depredations of the *English* ; and last-
“ ly, that were the Nobility and Gentry to
“ be exempt from the toils of war, and the
“ labours of the field, this would bring up-
“ on ’em such an inundation of idleness and
“ luxury, that their Country reduc’d to weak-
“ ness and want would become an easy prey
“ to the first invader.” Upon the due re-
presentation of these and other ill consequen-
ces attending the prosecution of this affair,
the Queen-Regent desisted from her attempt,
and ingenuously acknowledg’d, the counsels,
which had been propos’d to her, were detri-
mental, and as appear’d from the general op-
position, unserviceable to the common good.

557. And ⁿow the Queen of *England*, apprehensive of disturbances, sends an Embassadour into *Scotland*, to desire of the Queen-Regent, to consult of means to preserve the peace, and reconcile the differences, which had arose between the two Crowns. Deputies are appointed on both sides, and the next *July* they meet at *Carlisle*. In the mean time a Courier arrives from *France*, with letters to the Regent, importing, that the Queen of *England* had rais'd forces to be sent into *Flanders*, and had levied war against the Crown of *France*, in behalf of the King of *Spain*; 'twas therefore desir'd, that she would cause an incursion to be made upon the *Marches* of *England*, and thus lay a necessity upon the *English* to recall their troops for the defence of their own frontiers. The Queen-Regent, desirous to comply with the demands of *France*, calls a Council of the Lords at *Newbottle*, and having dilated upon the oppressions of the *English*, she is instant with 'em to declare war against *England*, and to give their assistance to the

ⁿ Lessl. de reb. gest. Scotor. lib. X. p. 529, & seq. Buchan. rer. Scotic. lib. XVI. p. 309.

arms of *France*. The Nobility are shock'd at the propofal, and refuse to be the aggressors. The Queen-Regent disappointed in her first attempt, contrives to bring about her design by different measures. She orders the *French* General to march with his forces towards *Dunbar*, and fortify the castle of *Aymouth*, not far from *Berwick*. This she knew would be disadvantageous to the *English*, and therefore concluded, they would make an effort to interrupt the affair. The event answer'd her expectations; for frequent excursions were made from *Berwick* to disturb the progress of the fortification, but without success. In the mean time she recalls her Commissioners from *Carlisle*.

These ° excursions gave the *French* General an excuse for marching beyond the *Twede*, and harassing the country about *Wark-castle*. The *Scots* Nobility were alarm'd at this proceeding, by a private man and a foreigner, and command him to withdraw his army out of the *English* territories, under pain of being declar'd a publick enemy. The

° Buchan. rer. Scotie. lib. XVI. p. 308. Lessl. de reb. gest. Scotor. lib X. p. 530, & seq.

Queen and *D'Oysell* were highly provok'd at the order, but were under a necessity to submit.

Whilst discord and division gain'd ground in *Scotland*, the affairs of the King of *Spain* were prosperous in *France*. The *French* army was defeated near *St. Quintin*, and the town surrender'd to the enemy. This ill success put King *Henry* upon hastening the marriage between the *Dauphin* and the Queen of *Scots*. For he fear'd, if the *Spaniards* went on to be the conquering party, the *Scots* might be backward in prosecuting the alliance. He therefore dispatch'd his Agents to the Parliament in *Scotland*, which met at *Edinburgh* the next *December* to hear his letters. He began with reminding them
 “ of the antient leagues, and mutual offices
 “ of regard, which had pass'd between their
 “ ancestors; that from the time of his first
 “ coming to the Crown he had been desirous to keep up the same friendly correspondence; that this was in great mea-

^p Lessl. de reb. gest. Scotor. lib. X. p. 532. Con. Vit. Mar. Stuart. Reg. Scot. p. 31, 32.

^q Buchan. rer. Scotie. lib. XVI. p. 308, & seq. Lessl. de reb. gest. Scotor. lib. X. p. 533, 534.

“ sure effected by the unanimous decree of
 “ the three estates in favour of the marriage
 “ betwixt his Son the *Dauphin* of *France*,
 “ and the Queen of *Scotland* ; that now
 “ his son was come to age of maturity, and
 “ the time for the solemnity drew on ; he
 “ therefore desir’d, they would send over
 “ Commissioners to be present at the cele-
 “ bration, and transact such other matters
 “ as should be necessary upon the occasion ;
 “ that this alliance might become the means
 “ of an indissoluble union betwixt the two
 “ nations, which on his part he should al-
 “ ways promote to the utmost of his abili-
 “ ties.” These letters gave general satisfac-
 tion to the whole Assembly, and eight
 Commissioners were nominated for the Em-
 bassy ; the Archbishop of *Glasgow*, the Bi-
 shop of *Orkney*, and *James*, Prior of *St.*
Andrews, the Queen’s natural brother, for
 the Clergy ; the Earl of *Cassils*, the Earl of
Roths, and the Lord *Fleming*, on the part
 of the Nobility ; and the Provosts of *Edin-*
burgh and *Montrossie*, to represent the Com-

* Less. de reb. gest. Scotor. lib. X. p. 535. Buchan.
 rer. Scotic. lib. XVI. p. 309. Spotiswood’s *Hist. of the*
Church of Scotland, p. 95.

mons. Some misfortunes attended them in their voyage ; however they discharg'd the business of their Negotiation, and the Queen was married to the *Dauphin* in the Church of *Nôtre-Dame* at *Paris* the latter end of *April*.

1558. When the 'solemnity was perform'd, and the publick rejoycings were over, the *Scottish* Commissioners were sent for to Council, to transact what farther was requir'd with the Chancellour of *France*. And here 'twas propos'd to 'em " to transfer the regal honours upon the Queen's husband, and create the *Dauphin* King of *Scotland*." To this they answer'd, " That they had a limited Commission, nor did their powers extend so far. " The Chancellor added, " That no more was now demanded of 'em, " than what they were able to grant, and " which seem'd indeed to be but a reasonable request; and this was, that when the matter should be debated in Parliament, " they would engage to promote the *Dauphin's* interest by their suffrage and authority. " The Commissioners return'd,

Buchan. rer. Scotie. lib. XVI. p. 309.

" That

“ That they neither could nor would go
 “ beyond the bounds of their office, and
 “ their employment was subject to limita-
 “ tion and restraint ; but that granting they
 “ had power to act at large, and all fears of
 “ future danger were remov’d, ’twas not the
 “ part of friends to desire of ’em what they
 “ could not promise to perform, without
 “ the imputation of dishonesty and mis-ma-
 “ nagement ; that they would not be want-
 “ ing in all the instances of friendliness and
 “ affection towards the *French* ; but begg’d
 “ in return, they would be modest in their
 “ demands, and not require that from ’em,
 “ which in honour they could not comply
 “ with. ” After this they were dismiss’d
 from Court, and set forward on their jour-
 ney towards *Scotland*. ‘ But being advanc’d
 as far as *Diepe*, the Bishop of *Orkney*, the
 Earl of *Rothes*, and the Earl of *Cassils*, fell
 sick and died. The Lord *Fleming*, appre-
 hensive of some infection, return’d to *Paris*,
 and died soon after. These sudden deaths
 of so many Noblemen of distinction gave

* Lesley de reb. gest. Scotor. lib. X. p. 539. Buchan.
 rer. Scotic. lib. XVI. p. 310. Spotswood’s *Hist. of the*
Church of Scotland, lib. II. p. 95.

occasion to suspect foul play, and that they were carried off by poison; and this was the rather believ'd, as the *French* King was known to resent the refusal of the crown to his son. This imagination however gave great distaste, and increas'd the aversion of the *Scots* against the *French*.

This year ^u one *Walter Mill*, a reform'd priest, of an advanc'd age, was apprehended and brought to St. *Andrews* to be try'd for heresy; and, refusing to retract his opinions, was condemn'd and burnt. This execution was so highly resented, that a ^w great number, both Lords and Gentlemen, bound themselves by Oaths and subscriptions, to assist each other from this time forward in the cause of religion by force of arms, and to hazard their lives hereafter in defence of the brethren. They nam'd ^x themselves the *Congregation*; and this was the first rise of that celebrated title, by which the reform'd in *Scotland* were afterwards so signally distinguished.

^v Buchan. rer. Scotie. lib. XVI. p. 310. Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 96.

^w Spotiswood's *Hist. of the Church of Scotland*, lib. II. p. 97. & lib. III. p. 117.

^x Buchan. rer. Scotie. lib. XVI. p. 311.

On St. *Giles's* day, who was the Patron Saint of *Edinburgh*, 'twas usual to carry his image in procession thro' the city, attended with drums, trumpets, and other instruments of musick. The clergy being apprehensive of some disturbance prevail'd upon the Queen-Regent to be present at the solemnity. When the day came, the image was remov'd out of its place, and the Saint could no where be found. To supply this defect a smaller image is borrow'd from the *Grey-friers*, and the design'd procession continued. When the shew was near at an end, the Regent withdrew. Upon which certain young people, who were appointed for that purpose, set upon the bearers of the image, cast it to the ground, broke it to pieces, and stamp'd upon it with their feet. The clergy ran to their houses, and a great tumult was rais'd in the town; but by the interposition of the magistrates all was soon quieted, and a provincial council call'd to meet on the eighth of *November* next.

^y Buchan. rer. Scotie. lib. XVI. p. 310, 311. Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 118. Less. de reb. gest. Scotor. lib. X. p. 538.

On the ^yseventeenth of *November* died *Mary*, Queen of *England*, and was succeeded in the throne by her Sister, the Lady *Elizabeth*, according to the act of succession of the thirty fifth year of King *Henry VIII.*

In the mean ^ztime the Congregation send abroad their emissaries to procure subscriptions throughout the Country for carrying on the cause of the Reformation; and finding upon their return, that the general inclinations of the people were in their favour, they resolve to pursue their design. To this end they draw up a supplication to the Queen-Regent and Council, which they present by Sir *James Sandelands* of *Calder*. In this they desire, 1. “ That their ministers
 “ might have leave to have publick prayers,
 “ and administer the sacraments in the vulgar tongue. 2. That in the Lord’s supper
 “ the cup might be restored to the people.
 “ 3. That the primitive practice might be
 “ reviv’d in the election of ministers, and
 “ an exact enquiry made into the life and

^y Camden’s *History of Queen Elizabeth*, in the introduction, &c. p. 12.

^z Spotiswood’s *Hist. of the Ch. of Scotland*, lib. III. p. 118. Buchan. rer. Scotie. lib. XVI. p. 311.

“ doctrine

“ doctrine of the candidates for orders;
 “ and lastly, that ignorant and scandalous
 “ clergymen might be removed from their
 “ office, and men of capacity advanced in
 “ their stead.

This^a procedure was by no means agreeable to the Queen-Regent; however she dissembled her dislike, and told ‘em, “ whatever they could lawfully desire should be granted ‘em;” and in the mean time she gave leave for the administration of prayers and sacraments in the vulgar tongue, provided, for the avoiding of tumults, no publick assemblies should be held at *Leyth* or *Edinburgh*. But when the same petitions were presented to the Clergy, the bishops were highly offended, and declared, “ they would not in the least depart from the decrees of the council of *Trent*.” However their passions were soon abated, and conditions of reconciliation on both sides mutually offer’d, but without any agreement. Not long after a^b Parliament was convened at *Edinburgh*, and the transactions of

^a Spotiswood’s *Hist. of the Ch. of Scotl.* lib. III. p. 119.
^b Lessl. de reb. gest. Scotor. lib. X. p. 542. seq. Buchanan. rer. Sotic. lib. XVI. p. 312.

the embassadors in *France* confirm'd. And here 'twas determin'd at the instance of the Queen and the *French* Commissioners to present the *Dauphin* with the matrimonial Crown; and the Earl of *Argyle* and *James*, Prior of *St. Andrews*, are appointed to be sent over to *France* as the Parliaments delegates on this occasion.

Upon the^c first meeting of this Parliament the Congregation presented certain articles to the Regent, which she receiv'd and answered almost in the same manner as before. Upon this, as well knowing they could not pass 'em into an Act without her consent, they drew up a Protestation, which they desired might be inserted in the publick Records. This the Queen-Regent likewise refus'd, but promis'd at the same time she would bring all matters to a good issue. But when the Parliament broke up, and all things there had been carried according to her Majesty's inclination, she chang'd her countenance, and instead of her former fair promises, receiv'd 'em with menaces and outrage.

^c Spotiswood's *Hist. of the Ch. of Scotland*, lib. III. p. 119, 120.

In the mean time the Earl of *Argyle*, and the Prior of St. *Andrews* are prevail'd on by the heads of the party to put off their voyage into *France*. The authority of the one, and the policy of the other, were held necessary in these times of disturbance to withstand the counsels of the *French*; 'twas therefore urg'd, that their absence could not be dispens'd with. Hereupon they form delays, and defer their journey.

The King of *France*, being now fully 1559; certified of the death of Queen *Mary* of *England*, sends a private Embassy to *Rome*, to persuade the Pope, to declare his daughter the Queen of *Scotland* the sole lawful Queen of *England*, and to pronounce Queen *Elizabeth* an Heretick and illegitimate. But this design prov'd abortive, by the interposition of the Emperour and the King of *Spain*. However, by the instigation of the brothers of *Guise*, he openly laid claim to the Crown of *England*, and caus'd this title to be us'd in all publick Instruments, FRAN-

^a Less. de reb. gest. Scotor. lib. X. p. 544. Buchan. rer. Scotic. lib. XVI. p. 312.

^{*} Camden's Hist. of Queen Elizabeth, lib. I. p. 33.

CIS AND MARY BY THE GRACE OF GOD KING AND QUEEN OF SCOTLAND, ENGLAND, AND IRELAND. He farther order'd the Arms of *England*, quarter'd with the Arms of *Scotland*, to be wrought into all their household-furniture and heralds coats, and to be painted upon the walls. The Queen of *England* complain'd of this proceeding by her Embassadour, but without redress. He farther rais'd a considerable force both of horse and foot, to be sent into *Scotland*. But not long after running at tilt with the Count of *Montgomery* at the celebration of his daughter's marriage with the King of *Spain*, he receiv'd a wound in the face, of which he died ; and this put a stop to the execution of his projects.

His Successor *Francis II.* made the same pretensions in right of his Queen ; and when the matter was expostulated by Sir *Nicholas Throgmorton*, Queen *Elizabeth's* Embassador, 'twas answer'd, " The Queen of *Scots* " might lawfully bear the Arms of *England* " with some small difference, to shew her

^f Less. de reb. gest. Scotor. lib. X. p. 544. Sir James Melvil's *Memoires*. p. 28.

^g Camden's *Hist. of Queen Elizabeth*, lib. I. p. 34.

“ descent from the blood royal.” But this being denied by *Throgmorton* out of the law of arms, ’twas said, “ She bore ’em for no other purpose, than that Queen *Elizabeth* might forbear to make use of the arms of *France*.” To this it was answer’d, “ That twelve Kings of *England* had bore ’em before her, and with such undisputed right, that no provision had been made thereupon, in all the Treaties, which had been form’d between the *French* and *English*.” At last, by the interposition of *Montmorency*, an enemy to the House of *Guise*, the King was prevail’d on to drop both the arms and title. This however was a severe provocation, and gave rise to that hatred Queen *Elizabeth* bore towards the Queen of *Scots*, and which could not be extinguish’d, but by her death.

But to return to *Scotland*. The Queen-Regent had summon’d every Preacher throughout the Country, to appear at *Stir-*

^a Spotiswood’s *Hist. of the Church of Scotland*, p. 120, & seq. Buchan. rer. Scotic. lib. XVI. p. 313. Bishop Lesley names only four who were thus summon’d to appear at *Stirling*; Knox, who had lately return’d into Scotland, Willock, Douglass, & Methuen. De reb. gest. Sootor. lib. X. p. 547.

ling, on the tenth of next *May*, under pain of being declar'd a publick enemy. When the time came, the people flock'd together in such numbers to attend them, that the Queen being apprehensive of tumults sent *John Areskine*, the Laird of *Dun*, to persuade 'em to return home, with a promise, that the Ministers should receive no damage. Upon this the assembly is dismiss'd, and many of 'em go back to their own houses. But notwithstanding the promises made, when the time came, and the Ministers did not appear, they were pronounc'd Rebels. The Laird of *Dun*, disgusted at this breach of faith, leaves the Court, and coming to *Perth*, where the Congregation and the Preachers were assembled, excus'd the advice he had given, bad 'em expect no favour, but provide for themselves. And not long after, upon the preaching of *John Knox*, a tumult is rais'd in the Town, and the populace in a zeal against idolatry, rife the Churches, break down the images, raze the Monasteries, and seize upon the furniture and religious ornaments. Their example is follow'd by those of *Cowper* in *Fife*, who in like manner rush into the Church, de-
face

face the altar, despoil it of its images, and all the other instruments of superstition.

The ¹Queen-Regent, incens'd at this violation, meditates a revenge. But the citizens, inform'd of her preparations, put themselves in a condition of defence, and in a short time receive a supply of two thousand five hundred men under the direction of the Earl of *Glencairne*. The Earl of *Argyle*, and the Prior of *St. Andrews*, now call'd Lord *James*, are employ'd by the Queen to mediate the affair. They succeed in their attempt, and articles of peace are drawn up and agreed to on both sides, and the Queen is admitted into the town. But within three days the terms of the Capitulation are broke through ; and the Earl of *Argyle* and Lord *James*, as thinking it an injury offer'd to their honour, leave the Court in discontent, and join the Congregation ; who by the encouragement of *John Knox* go on to commit the like outrages at *Craile*, *Anstruther*, and *St. Andrews*, as before they had done at *Perth* and *Cowper*.

¹ Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 122, & seq. Buchan. rer. Scotie. lib. XVI. p. 313, 314.

1557. *Hereupon the Regent gives orders to the *French* troops to march towards *St. Andrews*; but the Lords of the Congregation resolving to prevent her, throw themselves in their way not far from *Cowper*, and prepare for a battle. In the Regent's army Monsieur *D'Oysell* commanded the *French*, and the Duke of *Chastelherault* the *Scots*. The Duke dismiss'd a Courier to the Queen, to inform her of the posture of affairs, and that the enemy's army was stronger than hers. Upon this she inclines to an accommodation. But not coming to an agreement in the Articles demanded, a Truce is concluded for eight days, on condition that the *French* troops should be convey'd into *Lothian*, and Commissioners within that time be sent to *St. Andrews*, with sufficient powers to establish a lasting peace.

At the ¹Duke's request the Lords of the Congregation first quit the field, and retire to *St. Andrews*, there to expect the coming up of the Commissioners. But the time ex-

* Buchan. rer. Scotie. lib. XVI. p. 316. Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 124, & seq.

¹ Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 125. Buchan. rer. Scotie. lib. XVI. p. 316.

piring without any answer, and daily complaints being sent 'em from *Perth* of the oppressions of the garrison, they determine to expel it by force. And ^mhaving sat down before the town, and summon'd it to surrender, no relief coming, 'tis yielded on composition, that the soldiers should march out of the city with their arms and ensigns display'd. The next day they set forward towards the Abbey of *Scone*, and burn it to ashes. From hence they pass on to *Sterling*, pull down the religious houses there, and deface the images. After three days they march towards *Edinburgh*, and spread the like ruin and devastation wheresoever they come.

The ⁿQueen-Regent, at a loss by what means to redress these grievances, publishes a Proclamation, by which she commanded
 “ all persons of the Congregation, except
 “ the Burghers, to depart the town of *Edin-*
 “ *burgh* within six hours, or they should be
 “ held as traytors to the Crown.” And

ⁿ Lessl. de reb. gest. Scotor. lib. X. p. 550. Spotswood's *Hist. of the Church of Scotland*, p. 125. Buchan. rer. Scotic. lib. XVI. p. 316.

ⁿ Spotswood's *Hist. of the Church of Scotland*, lib. III. p. 126.

with

with this Proclamation a report was spread abroad, that the Lords of the Congregation had form'd a design to divest the Regent of her authority, and to disinherit the Duke of *Chastelherault* and his heirs of their right to the Crown, after the Queen's demise. In answer to this the Congregation both by their letters to the Queen, and Proclamation to the People, declare, " That they had
 " no other view than to restore the profes-
 " sion of true religion, and to abolish ido-
 " latry ; that the charge of usurpation and
 " rebellion was false and odious ; and pro-
 " vided they might enjoy the liberty of
 " their consciences, they would in all things
 " else be most obedient to their Sovereign
 " the Queen, and her mother the Regent.

°The Queen desires a conference, and propositions are mutually made. A treaty is set on foot, and the Agents of both parties meet at *Preston*. After much debate on both sides the matter is referr'd to the Queen, who made answer, she wish'd there might be peace, but said nothing to the points proposed. Upon which the Lords

° Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 128,

determine

determine to continue at *Edinburgh*, till matters should be more fully settled.

Not long after came into *Scotland*, Monsieur *Crook*, a *French* Gentleman, from the King, to give notice to the Regent, that an army was preparing for *Scotland*, under the command of the Marquis *D'Albeuf*, and in the mean time that certain companies would arrive with arms and money, and all other provisions necessary for the war; and farther, that he would send over certain persons of distinction and prudence, who should assist her in the direction of her troublesome affairs. He brought also letters from the King and Queen to Lord *James*, in which they expostulate with him for his defection, and press him to return to his obedience. He was farther commanded to tell him, "that the King would lose his Crown of *France*, rather than not be aveng'd of the seditious tumults, which had been raised in *Scotland*." To these Lord *James* return'd answer by writing, "that he was not con-

* Lessl. de reb. gest. Scotor. lib. X. p. 554.

* Buchan. rer. Scotic. lib. XVI. p. 317. Spotiswood's *Hist. of the Church of Scotland*, p. 129, & seq. Lessl. de reb. gest. Scotor. p. 554.

“ scious he had transgress’d the regards of
 “ duty and allegiance ; that in joyning him-
 “ self to the reformers of religion, he had
 “ sought nothing more than the advance-
 “ ment of God’s honour ; and that should
 “ he desist, it were in effect to renounce his
 “ Saviour ; that this did not amount to the
 “ charge of rebellion, and in all things else he
 “ was most obedient.” Some few days after
 a *French* officer with a thousand men landed
 at *Leyth*, and was immediately dispatch’d
 back to *France* for a farther supply. In the
 mean while the Queen gave orders to fortify
 the town.

At this time the Lords of the congrega-
 tion held a Convention at *Stirling*. And
 here they were joyn’d by the Earl of *Arran*,
 who had lately escap’d from *France*, and
 offer’d them his assistance in the common
 cause of religion and Liberty. From hence
 he went to *Hamilton*, and having reconcil’d
 some differences, which had arose be-
 twixt his father and certain of the Lords,
 he at length prevail’d upon the Duke to em-

* Less. de reb. gest. Scotor. p. 560. Spotiswood’s *Hist.*
of the Church of Scotland, p. 131. Buchan. rer. Scotic.
 p. 317.

brace the same Counfels; and engage in the expulsion of foreigners.

The Regent perceiving, that the coming of the *French* soldiers was a cause of general displeasure, publish'd a Proclamation on that behalf; which was soon followed by another, assigning the reasons, why she fortified *Leyth*. This was answer'd by a declaration of the Lords, setting forth the grounds of their quarrel, and appealing, "to all natural *Scotsmen* to judge between the Queen and them, and pressing them not to withdraw their support from their native Country in this urgent necessity, when ready to be given up into the hands of a foreign invader." After this declaration they assembled their forces, and march'd to *Edinburgh*. And the Queen the same day enter'd *Leyth*.

The next day the Lords send a letter to the Queen, declaring "they were met together to redress the grievances of the kingdom, and especially to restore a free com-

¹ Spotiswood's *Hist. of the Church of Scotland*, p. 132, & seq.

² Buchan. rer. Scotie. lib. XVI. p. 318. Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 135.

“merce at *Leyth*; and therefore they de-
 “fir’d she would dismiss the foreign forces
 “out of the town, and break down the out-
 “works, or they should look upon it as an
 “indication, that she design’d to introduce
 “tyranny and slavery, against which mis-
 “chief they would provide the best reme-
 “dies they could.” The messenger was sent
 back without any answer. But within two
 days came *Robert Foreman*, *Lyon-Herald*,
 with these instructions; “first, that it seem’d
 “strange to the Queen, any other should
 “command in *Scotland* besides her Daugh-
 “ter, and her Daughter’s Husband; but that
 “now she perceiv’d, they acknowledg’d no
 “Authority superiour to their own. Se-
 “condly, to remind the Duke of *Chastel-*
 “*herault* of his promise made to her by
 “Words, and to the King by Letters, that
 “he would not only be obedient to him-
 “himself, but influence his son the Earl of
 “*Arran* to be so too. Thirdly, that she
 “never had a thought to infringe upon the
 “laws and liberties of the Subject, much
 “less to form a conquest of the kingdom;
 “for to what end should she conquer it,
 “since it was her Daughter’s by right, and
 “her’s

“ her’s by possession. Fourthly, as to the
 “ fortification of *Leyth*, did she attempt any
 “ thing of that kind, before they had open-
 “ ly despis’d her authority, met together in
 “ arms, taken towns, and enter’d into a
 “ league with her’s and the nation’s ene-
 “ mies? and could they think it lawful for
 “ them to keep up an arm’d force at *Edin-*
 “ *burgh*, and unlawful for her to have a few
 “ soldiers about her at *Leyth*, for her own
 “ security? they might cover their designs
 “ with what specious pretext they pleas’d,
 “ but the peace and quiet of the kingdom
 “ seem’d least in their intentions: But far-
 “ ther, were they yet willing to return to
 “ their allegiance, and act the part of duti-
 “ ful subjects, nothing on her side should be
 “ omitted to promote the publick good, and
 “ their private satisfactions.” And lastly,
 the Herald was order’d, “ to charge the Duke,
 “ the Lords, and their adherents, to disband
 “ their forces, and quit the town, under
 “ pain of High-treason.”

Upon this the Lords conven’d in Coun-
 cil, to deliberate what was next to be done.

* Spotswood’s *Hist. of the Church of Scotland*, lib. III.
 p. 136, & seq. Buchan. rer. Scotie. lib. XVI. p. 319.

And

And here they call'd to their assistance a number of the Commons, to whom the Lord President *Ruthuen* declared, that the Queen had rejected their Petitions, refus'd to dismiss the *French*, or dismantle *Leyth*; and therefore since all means of an amicable composition were taken away, they must bethink themselves of some other measures. A motion was then made to cast off the Regent's authority, and discharge her from her office. This step seeming somewhat dangerous and unprecedented, the Preachers are call'd in to give in their opinions; and *Willock* and *Knox* declare for the affirmative. The Assembly authoriz'd by their determination are unanimous in their voices, and with one consent deprive her of the Regency. They then draw up a Decree of Council, in which they enumerate her several oppressions, and cause this Act to be publish'd in all the chief Burghs of the kingdom. And when the Act had been proclaim'd by sound of trumpet, they sent back the Herald to the Queen, with letters, wherein they refuse to acknowledge her any longer as Regent, and assure her, they will hazard their lives in the relief of *Leyth*, and therefore

fore desire her, that she would leave the Town with her Foreigners, within the space of four and twenty hours. And two days after they summon'd the place to surrender, and commanded all the soldiers of whatever state and degree within twelve hours to depart the City. This being refus'd, and mutual defiance given, the Lords lay siege to the Town, and attempt to take it by scalade. But being repuls'd with loss, the soldiers mutinying for want of pay, and a distrust of each other arising from some intercepted letters, (by which it appear'd their most secret counsels were disclos'd,) they desist from their design. And not long after they leave *Edinburgh*, and retire to *Stirling*.

And now the ^wLords of the Congregation being much reduc'd, determine to make application to Queen *Elizabeth*. The Commissioners employ'd upon this occasion were *William Maitland* of *Liddington*, Lord Secretary, and *Robert Melvil*, brother to the

^w Camden's *Hist. of Queen Elizabeth*, p. 35, & seq. Buchan. rer. Scotie. lib. XVI. p. 321. Spotiswood's *Hist. of the Church of Scotland*, p. 140. Less. de reb. gest. Scotor. lib. X. p. 562.

Laird of *Raith*. The matter was calmly debated in Council, and 'twas advis'd not rashly to try the events of war. But upon information, that the Marquess *D'Albeuf* was raising forces in *Germany* to be transported into *Scotland*, and that larger provisions were making, than seem'd necessary on such an occasion, 'twas judg'd, that these preparations must be design'd against *England*, and to abet the title of the *Scottish* Queen ; and therefore 'twas determin'd to send aid into *Scotland*. And the Duke of *Norfolk*, Lieutenant-General in the North, is appointed to attend the *Scottish* Commissioners at *Berwick*. These were the Lord *James*, the Lord *Ruthuen*, the Masters of *Maxwell* and *Lindesay*, the Lairds of *Liddington* and *Pittarrow*, and Mr. *Henry Balnaves*, who in the name of the Duke of *Chastelherault* and the Congregation enter into a League with the Queen of *England*.

About this *time the *English* Fleet enter *Edinburgh Frith*, fall upon the Ships of

* Spottiswood's *Hist. of the Church of Scotland*, p. 143, 144. Camden's *Hist. of Queen Elizabeth*, p. 37. Less. de reb. gest. Scotor. p. 563, 564. Buchan. rer. Scotic. lib. XVI. p. 322.

War which lay on the Coast, invade the Isle of *Inchkeith*, and spread great terror among the *French*. And not long after the Land-forces under the conduct of the Lord *Grey*, y consisting of two thousand Horse and six thousand foot, arrive in *Scotland*, and on the fourth of *April* join the Confederates Army at *Preston*. And the same day the Queen remov'd her household to *Edinburgh-Castle*. Upon the ^e coming of the *English* army the Lords again petition the Regent to dismiss the *French* forces ; and the *English* General in like manner offers to retire without any molestation, in case the *French* would quit the Country. The Queen return'd, she would consider of the matter, and send 'em an answer the next day. But the Army, not caring to admit of delay, march directly towards *Leyth*, and lay siege to the Town. Frequent attacks are made by the *English*, and as often excursions by the *French*, 'till at last, all passages being block'd up, the ^abesieg'd were so closely

¹ Camden names only twelve hundred horse ; *Hist. of Queen Elizabeth*, p. 41.

² Spotswood's *Hist. of the Church of Scotland*, p. 146, & seq. Buchan. rer. Scot. p. 323.

^a Less. de reb. gest. Scotor. lib. X. p. 568.

press'd for want of provision, that they fed upon their own horses, and had hardly food sufficient even of this sort to support life.

The ^bKing of *France*, inform'd of the extremities, to which his garrison at *Leyth* were reduc'd, sends an Embassy to Queen *Elizabeth*, desiring her to appoint Commissioners in *Scotland* to compound the matter. This request was easily agreed to, and Sir *William Cecyll* Secretary of State, and Dr. *Wotton* Dean of *Canterbury* and *York* are sent with the *French* Embassadors to consult upon the best means of putting an end to the present troubles. For the King and Queen of *France* did not judge it consistent with their dignity to debate matters with their own subjects, upon equal terms.

During 'this interval, the Queen-Regent falls sick in the Castle of *Edinburgh*, and dies on the tenth of *June*. Before her death she sent for the Heads of the Congregation, advis'd 'em to peace and allegiance to their

^b Camden's *Hist. of Queen Elizabeth*, p. 42. Spotiswood's *Hist. of the Church of Scotland*, p. 146. Buchan. rer. Scot. p. 324.

^c Spotiswood's *Hist. of the Church of Scotland*, p. 146. Less. de reb. gest. Scotor. lib. X. p. 569.

Queen, and to maintain the antient amity betwixt *France* and *Scotland*; recommending to 'em at the same time to dismiss both *French* and *English* out of the Country. After this she broke out into a passion of tears, ask'd forgiveness of all she had offend- ed, forgave all who had at any time offend- ed her, took the Noblemen severally in her arms, gave 'em the kiss of peace, and bad 'em finally farewell. To the rest that were present she gave her hand, and so they de- parted. She then sent for *Willock* the Preach- er, talk'd with him for some time, profess'd she expected salvation only from the death and merits of Christ, and died in a most Christian manner.

Soon ^d after the Queen's death the Em- bassadors of *France* and *England* met at *Edinburgh*, and agreed upon conditions of peace to be confirm'd within sixty days, and an Oath taken on both sides for the confir- mation. And thus on the sixteenth of *July* the *French* Army ^eembark'd for their own

^d Camden's *Hist. of Queen Elizabeth*, p. 42. Buchan- rer. *Scotic. lib. XVII.* p. 326. Spotiswood's *Hist. of the Church of Scotland*, p. 149. Lessl. de reb. gest. Scotor. p. 572.

^e See the Appendix, Num. I.

country, and the *English* the same day set forward towards *Berwick*.

By this ^fTreaty a Parliament was to be held in *August* next, for which a Commission was to be sent from the *French* King and the *Scots* Queen, and this Convention was to be as lawful, as if ordain'd by their express commandment. When the time for the meeting drew nigh, all such as had right to be present were summon'd to appear, and the Assembly was very numerous. But some debate arising concerning the legality of the session, there being yet arriv'd no Commission from the King and Queen, nor any person authoriz'd to represent their Majesties, the matter was put to the Vote, and the foremention'd Article declar'd a sufficient warrant for their present meeting. To this Parliament certain Articles were presented by the Ministers, which they desir'd might be establish'd, under the title of *A Confession of the Faith and Doctrine believ'd and profess'd by the Protestants of Scotland*. The Confession being read in open Parliament,

^f Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 149, 150.

four only of the temporal Lords dissented, and the Prelates were silent, and answer'd nothing. And thus it was publickly approv'd and pass'd into an Act by the authority of the Estates. In this Parliament the jurisdiction and authority of the Pope were taken away, all former statutes for the maintenance of Idolatry were disannull'd, and a Penalty inflicted on all such, as should be present at Mass.

About this time [§] died *Francis II.* King of *France*, to the great dissatisfaction of his Queen, and the joy of her Protestant subjects in *Scotland*.

When news was brought of the King's death, the *Gallican* party sent *John Lesley*, afterwards Bishop of *Rosse*, with letters to the Queen, advising her return into *Scotland*. The Lord *James* was sent also by the Lords of the Congregation, with the like invitation. Upon the death of the King the Queen had retir'd to *Vitrie* in *Champagne*, there to indulge her grief, and mourn in

[§] Lett. de reb. gest. Scotor. lib. X. p. 575. Spotiswood's *Hist. of the Church of Scotland*, p. 151.

private. Here ^b *Lesley*, arriving before Lord *James*, presents her the letters of the *Roman* Catholick Lords. He advis'd her, "Not to
 " give ear to the counfels of her brother,
 " who was of an aspiring mind, and aim'd
 " only at the adminiftration, that he might
 " the more eafily fubvert the Catholick Re-
 " ligion : That it might be wifh'd, ſhe
 " would cauſe him to be detain'd in *France*,
 " 'till peace was reſtor'd to *Scotland* by her
 " preſence : But if this was thought not
 " adviſeable, he begg'd at leaſt, ſhe would
 " not give herſelf up into his hands, but
 " would think of landing at *Aberdeen*,
 " where ſhe would be honourably receiv'd
 " by the *Roman* Catholick Lords, and find
 " ſuch aſſiſtance, as might ſuffice to ſuppreſs
 " the deſigns of the ſeditious, and diſpel
 " thoſe clouds of diſcontent, which at pre-
 " ſent hung over the country." The Queen
 heard him with attention, requir'd his at-
 tendance 'till her departure into *Scotland*,
 and order'd letters ſhould be wrote to the
 Lords, to intimate her return, and to aſſure

^b Leſl. de reb. geſt. Scotor. lib. X. p. 575, 576. Con.
 Vit. Mar. Stuart. Scotor. Reg. p. 43.

them of her favour and regard. In the mean time arrives Lord *James*, who signify'd to her in like manner, " the desire her Subjects had of her presence in *Scotland* ; " that 'twas necessary upon this occasion, " now the country was divided by party " and faction ; that discord and animosity " would cease at her appearance ; and he " would engage his life and honour for the " repose of her Majesty's dominions." By these persuasions the Queen was confirm'd in her purpose, and within a few days after gave him notice of her resolution, and dispatch'd him before her into *Scotland*, to prepare for her reception. Before he took leave, he desir'd as a mark of her affection, that she would create him Earl of *Murray* : The Queen answer'd in a friendly manner, and promis'd upon her arrival in *Scotland*, to comply with his request.

In the mean time ^k*Noalius*, a Senator of *Bourdeaux*, is sent into *Scotland* an Embas-

1561.

ⁱ Buchan. rer. Scotie. lib. XVII. p. 327. Martyre de la Rôyne d'Escoffe, p. 44. Lessl. de reb. gest. Scotor. p. 577. Sir James Melvil's *Memoirs*, p. 26. Con. Vit. Mar. Stuart. Scotor. Reg. p. 44, & seq.

^k Spotiswood's *Hist. of the Church of Scotland*, lib. III. p. 151, 152. Buchan. rer. Scotie. lib. XVII. p. 328.

sador from the *French* King, to solicit
 “ the confirmation of the old league be-
 “ twixt *France* and *Scotland* ; the dissolu-
 “ tion of the late Alliance with *England* ;
 “ and the restoration of the ejected Clergy
 “ to their benefices.” The Council delay’d
 their Answer, ’till the return of Lord *James*.
 He came back in *May*, and then the Con-
 vention met and answer’d to this effect ;
 “ That they were not conscious on their
 “ part of any violation of the antient league ;
 “ on the other hand they could not avoid
 “ charging it upon the *French*, who had
 “ sought to deprive ’em of their liberties,
 “ and reduce them to a state of servitude :
 “ That to break off the alliance with *Eng-*
 “ *land* would be to repay services with in-
 “ gratitude, and to conspire the ruin of their
 “ deliverers and benefactors : And as to the
 “ restitution of the Priests livings, they ac-
 “ knowledg’d neither their office nor autho-
 “ rity.” In this ¹Convention was made a
 decree, that the Monasteries and Abbey-
 Churches should be demolish’d, and Officers

¹ Collier’s *Ecclesiastical Hist. of Great Britain*, Vol. II, p. 470, 471. Spotiswood’s *Hist. of the Church of Scotland*, lib. III. p. 174, 175.

were sent into all parts of the kingdom to put the Ordinance in execution. But tho' the Edict pointed only at Religious houses, the fury of the people rais'd a general devastation, and ravag'd the Churches without any distinction. They made a seizure of the timber, lead, and bells, and expos'd the holy Vessels to publick sale. The Libraries were destroy'd, and the Registers cast into the fire. No sort of violence was omitted, which rage or enthusiasm could suggest; they rifled monuments and tombs, nor spar'd the inhabitants of the grave. The Preachers cried out, " That the places where Idols had been
" worship'd ought to be destroy'd by the law
" of God, and that the sparing of them was
" the reserving the *accursed thing*." And thus to commit sacrilege was the extirpation of heathen-worship, and to pull down the houses of devotion was the defacing an Idol-temple.

The Queen, ^mpreparing to return, fell ill of a fever at *Janville*, and delay'd her jour-

^m Camden's *History of Queen Elizabeth*, p. 50, & seq. Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 176. Less. de reb. gest. Scotor. p. 578. Con. Vit. Mar. Stuart. Scot. Reg. p. 47, & seq.

ney for some months. She came to *Paris* about the end of *June*, and was convey'd to the royal palace by the Princes of the blood. The Duke of *Bedford* was at that time in *France* to congratulate K. *Charles IX.* upon his accession to the Crown. By orders from Queen *Elizabeth* he solicited the confirmation of the Treaty of *Edinburgh*, and was join'd by Sir *N. Throgmorton*, the Embassador of *England*. The Queen declin'd to give a positive answer, 'till she had consulted the Nobility of *Scotland*, and had the advice of the Estates of her own Realm. In the mean time she had sent Monsieur *D'Oysell* to desire a safe passage by sea into her own country, and that *D'Oysell* might travel through *England*. But this request Queen *Elizabeth* refus'd, unless she would first ratify the Treaty of *Edinburgh*; and then she promis'd all the kindness could be expected from her as a Queen, a Neighbour, and a Relation. The Queen of *Scots* was disoblig'd at this refusal, sent for the Embassador *Throgmorton*, expostulated the case, gave her reasons for delaying the ratification, and complain'd of Queen *Elizabeth's* coldness

ness and disinclination. When she came to *Abbeville*, she sent for him again, and desir'd he would suggest, by what possible means she might give satisfaction. He answer'd, "I have often told your Majesty, by confirming the Treaty of *Edinburgh*. To this she replied, "She was sorry her reasons to refuse it should be wrongfully interpreted as excuses and delays. This Treaty, says she, ought to have been confirmed by my husband and me, and cannot now be ratified in due manner, since the King is expressly nam'd in the agreement. Besides, in effect the business is over, and there's no need of a farther confirmation; for all hostilities are ceas'd, the *French* troops recall'd out of *Scotland*, and the Arms and Title of *England* laid aside; and my subjects shall have no cause to complain of my severity. And what farther can be prejudicial to the Queen your Mistress? but I design to write to her myself more at large, and I pray, Sir, do you the part of an Embassadour, and make

ⁿ Spotswood's *Hist. of the Church of Scotland*, lib. IV. p. 178. Camden's *Hist. of Queen Elizabeth*, p. 57. Collier's *Ecclesiastical History*, &c. Vol. II. p. 474.

" your

“ your report in a friendly manner.” But nothing less than the ratification of the Treaty would satisfy Queen *Elizabeth*. The usurpation of her Arms and Title had made a deep impression ; and she was apprehensive of the like usage for the future, unless prevented by a solemn confirmation of the alliance, and the conscience of an oath.

However ° the Queen set sail from *Calais* towards the end of summer, and by means of a mist pass'd by the *English* Ships, which lay to intercept her, and within six days arriv'd safe at *Leyth*. She was attended by her Uncles the Duke *d'Aumale*, the Grand Prior, and the Marquess *d'Albeuf*, and several other Persons of Quality in *France*. Upon the fame of her arrival the Lords assembled from all parts to congratulate her return. She receiv'd 'em with all possible marks of favour and affection, allow'd 'em their Reform'd Religion, and insisted only on a private Mass in her own family. The following season was employ'd in shews and

° Brantôme's Memoires, &c. p. 120, 121. Camden's *Hist. of Queen Elizabeth*, p. 53. Lell. de reb. gest. Scot. p. 579. Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 178, 179.

Entertainments of the *French* Nobility, who attended her Majesty in her Voyage. But their stay was not long in *Scotland*. The Marquess *d'Albeuf* only remain'd with the Queen all winter; the Duke *d'Aumale* went back by sea; the Grand Prior and Monsieur *D'Anville* pass'd thro' *England*, and were honourably receiv'd by Queen *Elizabeth*.

At this time the ^P Secretary *Lidington* was sent into *England* to Queen *Elizabeth* with Letters from the Queen and the *Scots* Nobility. She express'd towards her all imaginable love and regard, courted her friendship, and press'd for a more strict alliance between the two Crowns. And this the Nobility insinuated, might with the most safety be procur'd, if " Her Majesty would
" declare the Queen of *Scots* her next and
" lawful heir, in case she should die with-
" out issue." The Queen seem'd surpriz'd at this proceeding, and told *Lidington*, " She
" expected another message, and that his
" Queen would have ratified the Treaty of
" *Edinburgh*; that as to the succession, she

^P Buchan. rer. Scotie. lib. XVII. p. 319, & seq. Spotswood's *Hist. of the Church of Scotland*, lib. IV. p. 179, & seq. Camden's *Hist. of Queen Elizabeth*. p. 54.

" neither

“ neither had nor would do any thing that
 “ might derogate from her right, tho’ what
 “ that was she should leave to be determin’d
 “ by others ; she knew of no law that was
 “ a bar to her title, but if there was any,
 “ she had sworn to observe the laws, when
 “ she receiv’d the Crown, and was resolv’d
 “ to make no alteration ; she fear’d lest by
 “ declaring her successor, their friendship
 “ should rather be dissolv’d than increas’d ;
 “ that the people were naturally inconstant,
 “ and turn’d their eyes to the rising sun ;
 “ and thus to confirm the *Scottish* Queen’s
 “ succession would be to detract from her
 “ own security.” She farther added, “ That
 “ when the Queen had discharg’d her pro-
 “ mise, and ratified the Treaty of *Edinburgh*,
 “ ’twould then be time to demand a proof
 “ of her affection ; and ’till then she could
 “ not in honour gratify her in any thing.”
 ¶ She also sent letters to her by Sir *Peter*
Mewtas, persuading her to confirm the
 Treaty. The Queen of *Scots* did not directly
 refuse it, but intimated, that a delay was ne-
 cessary, ’till her affairs in *Scotland* were in a
 better posture.

¶ Camden’s *Hist. of Queen Elizabeth*, p. 54.

In the mean while 'the Duke of *Chastelherault*, the Lord Chancellor *Huntley*, the Earls of *Argyle*, *Atholl*, *Mareschal*, *Glenclairne*, *Morton*, *Montrosse*, and *Erroll*, the Bishop of *Rosse*, the Lord *Ereskin*, and her brother the Lord *James*, are nominated to be of the Queen's Privy Council. But the Lord *James* was distinguish'd above the rest by her Majesty's affection ; insomuch that hardly any thing was carried on but by his direction. About this time there arose some disturbance upon the frontiers, and Lord *James* is sent with a Commission of Lieutenancy to repel the efforts of the seditious ; upon his return, the Earldom of *Marre* was conferr'd upon him as the reward of his services ; but this being claim'd by the Lord *Ereskin*, he was shortly after made Earl of *Murray*.

The 'Earl of *Huntley*, offended at these promotions, endeavours to withdraw the Queen's regards from the Earl of *Murray*,

' *Less. de reb. gest. Scotor. lib. X. p. 586. Spotiswood's Hist. of the Church of Scotland, p. 183. Con. Vit. Mar. Stuart. Scot. Reg. p. 53.*

' *Buchan. rer. Scotic. lib. XVII. p. 334, & seq. Spotiswood's Hist. of the Church of Scotland, lib. IV. p. 184.*

and presents her a libel, in which he charg'd him with the affectation of royal authority. But his allegations being unsupported, he fail'd in his purpose. He next endeavours to sow discord betwixt him and the Duke of *Chastelherault* ; but in this also he was unsuccessful. He then engages the Earl of *Bothwell* and the Abbat of *Kilwinning* to cut him off, as he was hunting with the Queen, and to seize upon her Majesty's person to countenance the affair. But this conspiracy being discover'd by the Earl of *Arran*, *Bothwell* is committed to custody in *Edinburgh* Castle, and the Abbat is imprison'd at *Stirling* ; the Earl of *Arran* was also entrusted to the care of certain persons about the Court.

1562. The 'next year the Queen of *Scots* propos'd an interview with Queen *Elizabeth*, and Agents were sent on both sides to agree upon time and place, and settle the circumstances of the affair. This motion was made by the *Scotish* Queen, as she was desirous of Queen *Elizabeth*'s friendship, and

* *Spotiswood's Hist. of the Church of Scotland*, p. 185.

willing to recommend herself to the people of *England*. The treaty went on, *York* was nominated for the place of meeting, the number of attendants fix'd, and the time was the latter end of *June*. But whilst all things were now in readiness, and the Queen was preparing for her journey, Sir *Henry Sidney* was ^u sent by Queen *Elizabeth* to put off the business 'till next Summer, or that the troubles in *France* were abated. This news was by no means disagreeable to the Queen of *Scots*, who became apprehensive, that as the Queen of *England* had openly declar'd for the Protestants in *France*, the interview might be attended with the displeasure of the *French* King, and her Uncles the *Guises*; and thus she should prefer Queen *Elizabeth's* uncertain friendship to the certain love of the *French*. However, she promis'd to neglect the favour of her Uncles, and be wholly devoted to the interests of Queen *Elizabeth*, if she would either adopt her for her daughter, or cause her to be declar'd Heir-apparent to the Crown of *England* by authority of Parliament. And

^v Camden's *Hist. of Queen Elizabeth*, p. 59.

this she urg'd the more earnestly, as she had receiv'd information, that some secret attempts had been made in favour of another successor, to the prejudice of her title.

At ^wthis time a marriage was propos'd to the Emperor *Ferdinand* between his son the Arch-Duke *Charles* and the Queen of *Scotland*, by her Uncle the Cardinal of *Lorrain*. Queen *Elizabeth* sent her word, that if in this point she was guided by the Cardinal, the Alliance with *England* might chance to be dissolv'd, and her hopes of succession cut off. And farther, she advis'd her to take a husband from *England*, as by this means a peace might be establish'd between the two kingdoms, and her right of succession secur'd.

And ^xnow the Queen undertook a progress into the North. She was met at *Aberdeen* by the Lady *Huntley*, who solicited the pardon of her son, and leave to attend her Majesty in her Northern journey. This Gentleman had offended the Queen by an

^w Camden's *Hist. of Queen Elizabeth*, p. 61. Sir James Melvil's *Memoires*. p. 32, & seq. 40, & seq.

^x Spotswood's *Hist. of the Church of Scotland*, p. 185, & seq. Buchan. rer. Scotie. lib. XVII. p. 336, & seq.

escape he had made from confinement for having wounded the Lord *Ogilvie* in the streets of *Edinburgh*. The family flatter'd themselves with hopes of a marriage between him and the Queen, and something of this kind had been suggested. But her Majesty refus'd to admit him into her presence, unless he would surrender himself into the hands of justice, and return from whence he had escap'd. However, she was prevail'd on to change the place of custody, and order him to *Stirling-Castle*; and the Lord *Glamis* was appointed to conduct him. He seemingly complied with the Queen's inclination, and set forward towards *Stirling*; but stopping short by the way, rais'd a body of about a thousand horse, and drew near to *Aberdeen*. The Queen was provok'd at this procedure, but dissembling her resentment pursued her journey, and came to *Inverness*. And here the Castle was held out against her by *Alexander Gordon* the Governour, a dependent of the Earl of *Huntley's*. The Town also was in disorder, and the Country in arms, expecting his coming. The danger the Queen was in being rumour'd about the country, great numbers of

the Highland Clans came in to her assistance the next day, and among the rest the *Fraziers* and *Monroes*. The Earl of *Huntley* was deserted by his followers, when his cause was known; and the *Mackintoshes* especially distinguish'd themselves by submitting to the Queen. The royal army being thus augmented, her Majesty gave orders to besiege the castle, and took it upon the first assault. She then return'd to *Aberdeen*. The Earl of *Huntley* sends offers of submission by his Lady, but is refus'd admittance. Upon this he gets together what forces he could, and relying upon the inclination of the inhabitants of *Aberdeen*, draws near to the town. But his farther approach was prevented by the Earl of *Murray*, who fell upon him with the Queen's army at a place nam'd *Corrichee*, and gave him an entire defeat. The Earl of *Huntley* and two of his younger sons were taken prisoners in the fight; but being old and corpulent, and wearied with the fatigues of the day, he died in the hands of his keepers, before he could reach the town. And thus the Northern parts of the kingdom were reduc'd to their obedience.

This

This ^y winter was executed Monsieur *Chastelard*, a *French* Gentleman of *Dauphiné*, for an attempt upon the Queen's honour. He had ^z found means to convey himself privately into her chamber, and endeavouring to lie conceal'd beneath her bed, was by accident discover'd. The Queen severely reprimanded him for this abuse, but in regard to his quality, for he was nearly related to Monsieur *de Bayard*, she forgave him the offence. But *Chastelard*, unmindful of his former pardon, and inflam'd with an ungovern'd passion, undertakes a second time the like project, and was discover'd again. The Queen was enrag'd at this insult upon her virtue, and in vindication of her own honour gave him up into the hands of the Judges, who sentenc'd him to be beheaded.

The ^a Civil War now raging in *France*, 1563. and the Duke of *Guise* slain, the Queen's dowry was no longer paid, and the *Scots* were excluded from all offices of honour

^y Sanderfon's *Life of Mary Queen of Scotland*, p. 30.

^z *Memoires de Monf. de Brantôme*, &c. p. 163, & seq.

^a Camden's *Hist. of Queen Elizabeth*, p. 67.

and advantage. As this was highly resented by the *Scotish* Court, the Cardinal of *Lorraine*, apprehensive lest it should alienate the Queen's inclinations from the *French*, and be a means of forming a stricter union between her and the Queen of *England*, proposes to her a second time the marriage with *Charles* Arch-Duke of *Austria*, and offers her the County of *Tirol* in dowry. She gave notice of the Proposal to Queen *Elizabeth*, who return'd her the same advice as before, recommending *Dudley* to her affections, whom she afterwards created Earl of *Leicester*; promising her at the same time, if she would gratify her in this marriage, she should be declar'd her *Sister*, or *Daughter*, and *Heir of England*, by authority of Parliament. Her Majesty referr'd the matter to a farther consideration.

And now she met with severe troubles at home from the Earl of *Murray*, and the reforming party. The ^bArchbishop of *St. An-*

^b Spotiswood's *Hist. of the Church of Scotland*, p. 187, 188. Camden's *Hist. of Queen Elizabeth*, p. 68. Buchanan. rer. Scotie. p. 338. Thuan. Hist. lib. 37. Tom: 2. p. 309.

drews was thrown into prison for celebrating Mass, and obtain'd his freedom with much difficulty. The Abbat of *Corfragnal* and the Prior of *Withern* suffer'd in the same manner, and censures were pass'd upon many others of the *Roman* Catholics. As one of the Priests was officiating in her Majesty's Chapel at *Halyrud-house*, an uproar was rais'd, the Holy Office disturbed, and part of the Congregation apprehended and imprison'd. * *Knox* was call'd before the Council, charg'd with the sedition, and answer'd with insolence and outrage. The Queen however manag'd very gently, granted a general pardon, and heard causes frequently herself in the publick Courts, that justice might be administer'd to all with an impartial hand.

Towards the ^dend of the year *Matthew 1564*, *Stuart*, Earl of *Lenox*, was recall'd out of 1565.

* Sanderfon's *Life of Mary Queen of Scotland*, p. 30, & seq. Spotiswood's *Hist. of the Church of Scotland*, p. 188.

^d Buchan, rer. Scotic. p. 339. Spotiswood's *Hist. of the Church of Scotland*, p. 188. Camden's *History of Queen Elizabeth*, p. 73. Sir James Melvil's *Memoirs*, p. 42. 48. Strad. de bello Belgico, Dec. Sec. lib. 8. Holingshead's *Hist. of Scotland*, p. 381.

England,

England, and in the Parliament held the following *January* his attainder was revers'd, and his honour and estate restor'd, after a banishment of two and twenty years. He was follow'd soon after by his Son the Lord *Darnley*, a youth of about twenty one years old, of a graceful person and genteel behaviour. The Queen receiv'd him with all possible marks of favour and affection, which by degrees so far encreas'd, that 'twas soon discern'd, she design'd him for her husband. She was inclin'd to this marriage by many motives. The Lord *Darnley* was descended of the royal blood of *England*, and next to her the heir apparent of the Crown : Should he form an alliance with a powerful family in *England*, as he was belov'd by the *Englishmen*, he might raise a disturbance, and embarrass the succession : Queen *Elizabeth* had advis'd her to chuse an husband from *England*, and the Lord *Darnley* was an *Englishman* born.

Upon this she calls a Convocation of the Estates to deliberate the affair. They met at *Stirling* the following *May*, and the bu-

* Spotiswood's *Hist. of the Church of Scotland*, p. 189, & seq.

sinews being propos'd to 'em, the marriage was advis'd by a general approbation. The Lord *Ochiltrie* only declar'd his dissent, and profess'd openly, " he could never agree to " a King, who was a *Roman-Catholick*." But when the determination of the States was publish'd, and the Queen retir'd from *Stirling*, the Duke of *Chastelherault*, in conjunction with the Earls of *Murray*, *Argyle*, *Glencairne*, and *Rothies*, form a confederacy to oppose the marriage, under pretence of the dangers it would bring to religion, and the inconveniences it would draw upon the State. In the town of *Edinburgh* the people have recourse to arms, and offer insults to such of the Citizens as they knew were well affected to the marriage. The Queen provok'd at this behaviour makes haste to their relief, and at her approach the heads of the faction retire. They are soon after declar'd Rebels, and their goods confiscate ; but upon the Magistrates intercession all was restor'd, and they had their pardon.

At the same time the ^fAssembly of the Church met at *Edinburgh*, and presented a

^f Spotiswood's *Hist. of the Church of Scotland*, p. 190.

Petition to the Queen by their Commissioners, in which they press'd her to conform to the alterations in Religion, and to abolish the *Roman* Worship throughout the realm, not only amongst her subjects, but in her own person and family. To this her Majesty made answer by writing, " and desir'd
 " all her loving subjects, who had experien-
 " ced her goodness, that they would not
 " urge her to act against her judgment, as
 " she had neither in times past, nor intend-
 " ed for the future to oblige any man to a
 " forced compliance, but had granted to all
 " a free liberty to serve God after their own
 " persuasion ; that as to the establishment
 " of Religion in the body of the realm, she
 " would agree to whatever the Estates should
 " determine, and assur'd 'em in the mean
 " while, that none should be expos'd to ha-
 " zard for obeying the dictates of consci-
 " ence, or suffer any damage in their lives
 " and fortunes for the sake of their religion.

Not long after^s, on the 28th of *July*, her Majesty having before created him Earl of

^s So Holingshead in his *History of Scotland*, p. 381 ; but Buchanan supposes the marriage to have preceded the King's Proclamation, *Rer. Scotie. lib. XVII. p. 342.*

Rosse and Duke of *Rothefay*, the Lord *Darnley* was publicly proclaim'd King at the *Mercat-Cross* at *Edinburgh*, and the next day was married to the Queen in the royal Chapel at *Halyrud-house*.

Though the Earl of *Murray* seem'd publicly to disapprove of the Queen's marriage, and opposed it in so violent a manner, yet 'twas ^hprincipally owing to his solicitations and Secretary *Lidington's*, that her Majesty was prevail'd on to accept of the Lord *Darnley* for her husband. For notwithstanding the affection she bore towards him, she had always resolv'd to prefer the interest of her people to any private passion of her own. And 'twas urg'd by these two Lords, that the marriage with the Lord *Darnley* was the most likely expedient for obtaining the Crown of *England*. This advice had been suggested to 'em by Queen *Elizabeth*, who was apprehensive of nothing so much as a foreign Alliance with the *Scottish* Queen, and tho' she afterwards dissembled her approbation, and pretended upon political views to resent the Queen of *Scotland's*

^a Memoires de Castelnau, liv. 5. c. 12. & seq.

marrying without her consent a subject of her own, yet she inwardly rejoiced at it in her heart.

In the mean time the ⁱdiscontented Lords protest their wrongs, exclaim loudly against oppression and the infringement of their liberties in imposing a King upon 'em without the States consent, and exhort all good subjects to take the matter into consideration, and to join with them in resisting of tyranny. But few were made profelytes by these pretences, and the King and Queen marching against them at the head of an army, they were at last obliged to retire into *England*.

Amongst those who had favour'd the Queen's marriage was *David Riccio*, a *Pied-montois* by birth, and secretary to her Majesty in her foreign dispatches. ^kThis man had attended the Embassadour of *Savoy* into *Scotland* in hopes of advancing his fortune, and had serv'd her Majesty in quality of Musician. His skill in his profession and the

ⁱ Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 191. Buchan. rer. Scotie. lib. XVII. p. 342, & seq.

^k Buchan. rer. Scotie. lib. XVII. p. 340. Melvil's *Memoires*, p. 54. Thuan. *Histor.* lib. XXXVII. p. 307.

facetiousness of his temper had recommended him to the Queen's notice, and his credit improving by degrees, he was at last promoted to the highest offices in the State. This advancement gave great offence to several of the Nobility, who were griev'd to find a stranger preferr'd to them in his interest and favour with the Queen, and for this reason they resolv'd upon his ruin.

It was not long before they found a ¹favourable opportunity to put their design in execution. As the King was young and unexperienced, he became an easy prey to the mispersuasions of ill-designing men, and presuming too much at their instigation upon the regal title, he had given the Queen some instances of his haughtiness and disregard. This treatment was ill-receiv'd by her Majesty, who in return gave orders, that the stile should henceforward be alter'd in all publick Writings and Patents, and the King's name plac'd after hers, as a mark that his power was not properly his own, but deri-

¹ Camden's *Hist. of Queen Elizabeth*, lib. I. p. 91. Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 193. Buchan. rer. Scotic. lib. XVII. p. 343. L'Hist. de l'Incomparable Reyne M. Stuart, par Cauffin.

ved from her. And farther, within a little time she caus'd all publick instruments to be sign'd only with her own name, and instead of the King's *Riccio* made use of a stamp, provided for the purpose; and in coining of money his Majesty's name was quite left out.

1566. The ^m Earl of *Morton* insinuates himself into the King's favour upon this occasion, represents to him the absurdity of the Queen's bearing rule over him, since even nature and the law of God requir'd, that the wife should be in subjection to her husband. And finding his discourse had made some impresson upon his Majesty, he ventur'd to proceed farther, and complain of *Riccio's* familiarity with the Queen; that it stood not with his honour to allow of it, nor could the Majesty of his Crown any longer bear it; that the Queen's disaffection proceeded wholly from the influence *Riccio* had over her, and that 'twas absolutely necessary for the success of his Majesty's affairs, the foreign favourite should be taken

^m Martyre de Marie Stuart, &c. p. 545, & seq. Camden's *Hist. of Queen Elizabeth*, lib. I. p. 91.

off. The ⁿ like application was made to him by the Lords *Lindsay*, *Ruthuen*, and *George Douglas*, natural Son to the Earl of *Angus*. And he was so far prevail'd on by their instigations, that he consented to become a party in *Riccio's* murther.

About this time a ^bParliament was call'd to pronounce sentence of forfeiture against the confederate Lords who had fled into *England*. The conspirators had many reasons to delay the meeting of the Estates upon this occasion. For besides their concern for their absent friends, the Earl of *Morton* and his dependents had cause to apprehend, there would be a revocation this session of some extravagant grants which had been made to them of the Crown-lands during the Queen's minority; and withall that certain ecclesiastical benefices would be restored, which the great men under pretext of Religion had seiz'd into their own hands. Now the death of *Riccio* would put a stop to Parliamentary busi-

ⁿ Melvil's *Memoires*, &c. p. 64. *Memoires de Castelnau*, liv. V. ch. 13.

^o Holingshead's *Hist. of Scotland*, p. 382. Sir J. Melvil's *Memoires*, &c. p. 64. *Memoirs of the Affairs of Scotland*, &c. p. 6. seq.

ness, and make a Change at Court; and therefore they agreed upon his immediate execution.

'Twas the Queen's manner, ^p when she supp'd in private, to admit others to sit beside her. And upon the night appointed for the slaughter the Countess of *Argyle* and *Riccio* were plac'd by her at the table. The King first entred her Majesty's closet, and was leaning over her Chair, when the Lord *Ruthuen* rush'd into the room compleatly arm'd, with four or five others with him, and in so rude a manner, that the Table, and all that was upon it were overthrown. The Queen demanding the cause of this disturbance, he bad *Riccio* " rise and with-
" draw, for the Place he sat in did not
" become him." Upon which the Queen starting up interpos'd between 'em, endeavouring to defend him. *Riccio* threw his

^p Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 194. Buchan. rer. Scotic. lib. 17. p. 345. Melvil's *Memoires*, &c. p. 64. seq. Martyre de Marie Stuart, &c. p. 548. M. Stuarta Innoc. à caede Darleianâ, &c. p. 21. *In the Memoirs of the Affairs of Scotland*, published by Mr. Crawford, *Riccio* is said to have sate at a bye-table in the same room with the Queen, according to his usual custom when he was in waiting, p. 9.

arms around her Majesty's waste, and cry'd out for justice. The King in the mean while labour'd to unloose them, desiring her Majesty to calm her fears, for their business was only with her Secretary. And in the instant *G. Douglas*, pulling out the King's dagger, struck *Riccio* first with it, and left it in him. He was then forcibly drag'd from the Queen into an outer apartment, where the Earl of *Morton* and the rest were attending the success of the enterprise, and cruelly slain; and her Majesty was detain'd as a prisoner.

The ^a Circumstances of time and place make it very suspicious, that the design of the conspirators was not simply directed against *Riccio*. The Queen was then big with child, and 'twas natural to imagine, that her fright upon this occasion might have caused an abortion. And it was as easy to have executed their purpose any where else as in the Queen's presence. These ^r suspicions were confirmed by the

^a Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 195. Melvil's *Memoires*, &c. p. 66.

^r L'Innocence de la Roynie d'Escoffe, &c. p. 19. M. Stuar. innoc. à caede Darl. &c. p. 24. Martyre de Marie Stuart, &c. p. 548.

insolence of Mr. *Andrew Ker*, who, in the heat of the action presented a pistol to her Majesty's breast, and threatned to dispatch her and the Secretary at once, if she offer'd to make any resistance.

About ^s two days after the Earl of *Murray* and the banish'd Lords return into *Scotland*, appear before the Parliament, and declare themselves ready to answer the Summons of forfeiture exhibited against them; but the Court was in such confusion there was none to prosecute them. Upon their return the ^s Queen sent Sir *J. Melvil* to the Earl of *Murray*, desiring his assistance in her present difficulties, and that he would not join with her enemies against her; promising all future love and friendship for ever, if he would but help her in this unhappy conjuncture. Upon the delivery of the message the Earl of *Murray* waited on her Majesty. At his entrance the Queen ran to meet him, took him up in her arms and kissed him, and imputed her ill usage to his absence. This behaviour so wrought upon

^s Holingshead's *Hist. of Scotland*, p. 382. seq. Spotswood's *Hist. of the Church of Scotland*, lib. IV. p. 195.

^s Michell's *Memoires*, &c. p. 65.

him, that he broke out into a passion of tears, and express'd his concern in the tenderest manner. Which circumstance, as 'tis related by Sir *James Melvil*, who was himself a spectator of it, seems to acquit the Earl of *Murray* from the imputation charged upon him of having originally projected this barbarous assassination.

In the mean time her Majesty took occasion to remonstrate to the King the ill consequences of his rash design. She laid before him “the many services she had done for him, and the ungrateful offices he had return'd; she reminded him of her condition, and the hazard to which her life had been expos'd, and not her's only, but the life of his own child who was yet unborn; that in case they had fallen a sacrifice to the rage and violence of the conspirators, himself must have inevitably been involv'd in their common ruin; she therefore entreated him to abandon a party, who sought his own destruction, no less than her's.” Upon

“ L'Hist. de l'incomp. Reyne Marie Stuart, &c. par Caussin. Vite M. Stuart, &c. Autore G. Conaco, p. 73. seq.

this discourse the King became sensible of his folly and misbehaviour, beg'd pardon upon his knees, and promis'd he would no longer adhere to the counsels of her enemies. The ^w Lords observing the King's affections were thus alienated from them; and that the Earl of *Murray* was not so firmly attach'd to their interest as they had imagined, inclin'd to an accommodation, and began to enter upon conditions of Peace. Articles were drawn up at several times, and amendments made, for the preventing all future inconvenience. By her Majesty's advice the King engag'd 'em to remove the guards, which were about her person, since otherwise her subscription could be of no force in law, whilst she was under the least appearance of restraint. This expedient was judg'd necessary, and the guards were dismiss'd. But about midnight the King and Queen, and certain of their attendants, left the palace, and made towards *Dunbar*. And the offending Lords the next morning finding they were disappointed of all hopes of a pacification, determin'd to retire into *England*.

^w Melvil's Memoires, &c. p. 65. seq.

After

After * some few days pass'd at *Dunbar* the Queen return'd to *Edinburgh*, attend-
ed with great numbers of the Nobility,
who had flock'd to her upon this occasion.
And here she made enquiry after the mur-
derers, and several were taken up and ex-
ecuted. The rest after a little time were
admitted to pardon.

The y Earl of *Murray's* conduct in not
openly joining with the late conspirators had
so mightily recommended him to her Ma-
jesty's esteem, that she receiv'd him into
greater favour than before. This was so
highly resented by the King, that he en-
tered into a design to cut him off; but dis-
closing his counsels to the Queen, she dis-
suaded him from it, and so prevented the
execution.

About this z time the Earl of *Bothwell*
began to be a favourite. a He was a per-

* Spotiswood's *Hist. of the Church of Scotland*, lib.
IV. p. 195. seq.

y Vit. M. Stuart. &c. aut. G. Conaco, p. 77. Mar-
tyre de Marie Stuart, &c. p. 556. Innocence de la
Royne d'Escoffe, &c. p. 21

z Melvil's *Memoires*, &c. p. 67.

a Martyre de Marie Stuart, &c. p. 557. Cambden's
History of Queen Elizabeth, lib. I. p. 92. *Instructions*
given to the Bishop of Dunblaine in Buchan. rer. Scotie.
lib. XVII. p. 357. seq.

son of family and figure, hereditary Admiral of *Scotland*, and stood distinguish'd by his zeal and fidelity to the Crown, and the great services he had done against the *English*. But then he was ambitious to an extravagant degree, envious and haughty, bold to attempt, and desperate in the execution of any daring enterprize. ^bHe chiefly hated the Earl of *Murray*, and upon some forg'd pretence of a design to bring back the banish'd Lords had perswaded her Majesty to imprison him. And not succeeding according to his wishes, he some time after engaged with the Earl of *Huntley* to take away his life, but by the intervention of the Earl of *Hume* the business miscarried.

The ^ctime of her Majesty's delivery now drawing nigh, she summon'd all the principal of the Nobility to attend her at *Edinburgh*. And on the 19th of *June* she was brought to bed of a son to the great satisfaction of all her subjects. Sir

^b Melvil's *Memoires*, &c. p. 67, 77.

^c Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 196. Camden's *Hist. of Queen Elizabeth*, lib. I. p. 82. Melvil's *Memoires*, &c. p. 69, seq.

James Melvil was immediately dispatch'd into *England* with notice to Queen *Elizabeth*, and to desire her Majesty to stand God-mother at his Baptism. The Queen receiv'd him with a chearful countenance, but was inwardly displeas'd at his message.

Upon the ^dQueen's recovery she went to *Alkway*, a seat of the Earl of *Marr's*, where she tarried for a few days. Thither the King follow'd her, and met with a very cool reception. In the beginning of *October* she came to *Fedburgh*, and fell dangerously ill. In this distress she was again visited by his Majesty, and receiv'd him with no greater expression of kindness than before. Secretary *Lidington* made his court by exaggerating the King's offences, and advis'd the Queen to a divorce. This advice was approv'd by the Earl of *Murray*, ^e who in conjunction with *Lidington* prevail'd on the Earls of *Huntley*, *Argyle*, and *Bothwell* to favour the project. They waited upon the Queen, and *Lidington* in the name of the

^d Buchan. rer. Scotie. lib. XVIII. p. 348, & seq. Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 196.

^e *Protest. of the Earls of Huntley and Argyle in Camden's Hist. of Queen Elizabeth*, lib. I. p. 93.

rest severely inveigh'd against the King's misbehaviour, and shew'd "how nearly it concern'd the interest of her Majesty and the State to be divorc'd from her husband, since she could not possibly live with him in *Scotland* in any security." The Queen made answer, "She had rather withdraw for a time into *France*, 'till the King should acknowledge the errors of his youth, than submit to any expedient, which might be prejudicial to her Son, or dishonourable to herself." *Lidington* return'd, "We, who are of your Council, will look to that." Her Majesty replied, "But I command you, that you do nothing which may blemish my honour, or burden my conscience. Let the matter remain as it is, 'till God provide a remedy from above. What you may think for my advantage, may turn to my hurt."

^f Preparations were now making for the Prince's Baptism, which was administer'd with much magnificence. The Earl of *Bedford* was sent Embassadour from Queen *Elizabeth*

^f *Spotiswood's Hist. of the Church of Scotland*, lib. IV. p. 197. *Holingshead's Hist. of Scotland*, p. 384.

zabeth upon this occasion, with a present of a golden Fount most exquisitely wrought, to the value of upwards of 1000 *l.* of *English* money. The *French* King and the Duke of *Savoy* were represented as Godfathers by their Embassadors, and the Queen of *England* as Godmother by the Countess of *Argyle*. On the 15th of *December* they all met at *Stirling*, and the Holy Office was perform'd by the Archbishop of *St. Andrews* after the manner prescrib'd by the *Roman* Ritual. During the time of divine service the Earl of *Bedford* and the Protestant Lords stood without the chappel. When the ceremony was over, the Prince was proclaim'd by his name and titles, *JAMES Prince and Stewart of Scotland, Duke of Rothesay, Earl of Carrick, Lord of the Isles, and Baron of Renfrew.*

The King was not present at the solemnity, and his absence was much taken notice of. ^s*Buchanan* tells us, the fault was laid upon his Embroiderers, Goldsmiths, and Tradesmen, who had neglected to provide him with suitable furniture upon the occa-

^s *Buchan. rer. Scotie. lib. XVII. p. 349.*

sion. But 'tis hardly to be suppos'd her Majesty would urge so shameful a pretence, especially since near three months had pass'd between the birth of the Prince and his baptism. 'Twas more probably owing to the charge Queen *Elizabeth* had given to the Earl of *Bedford* and the *Englishmen* in his company, not to take any notice of the Lord *Darnley* as King. For it would have been inconsistent with his Majesty's honour to have been refused the regal title in a *Scottish* Court; and 'twas necessary not to quarrel with the Queen of *England*.

The ⁱEarl of *Lenox*, inform'd of what was past, sent for his Son to *Glasgow*. But he was hardly gone a mile from *Stirling*, before he felt a violent pain all over his body, which at last broke out into small pustules of a blewish colour. The force of his distemper made it suspected that poison had been given him, and for some time his life was despair'd of. But being naturally of a strong constitution, his indisposition began to abate, and he was declar'd out of danger.

^b Camden's *Hist. of Queen Elizabeth*, lib. I. p. 87.

ⁱ Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 197. Buchan. rer. Scotie. lib. XVIII. p. 349.

The Queen *shew'd all possible instances of humanity and compassion upon this occasion. She visited the King at *Glasgow*, express'd a most passionate concern for his affliction, and after some little complaining of unkindness on the one hand, and indiscretions on the other, a perfect reconciliation was form'd between 'em. After her Majesty had tarried some time at *Glasgow*, 'twas judg'd proper she should return to *Edinburgh*; whither the King attended her, tho' not entirely recover'd, and was lodg'd in the *Kirk-field*, as a place of good air, and most suitable to his present condition. But here he had not continued long, before he was murder'd in a most barbarous manner.

The¹ circumstances of the murder are said to have been these. The E. of *Bothwell* and his associates, repairing to the *Kirk-field* in a dark night, had so dispos'd of all passes, that there was no possible means to make an escape.

* Martyre de Marie Stuart, &c. p. 562. Con. Vit. Mar. Stuart. Scot. Reg. p. 80. See also Spotiswood's *Hist. of the Church of Scotland*, p. 200.

¹ Bothwell's *Confession in Denmark*, apud Con. Vit. Mar. Stuart, &c. p. 83, 84.

He then gave notice to the King, that certain of the Nobility attended him in the garden upon business of the utmost importance, which would admit of no delay. The King without any farther question slipped on his Night-gown, and came down stairs. He was met by the Earl of *Bothwell*, of whom he demanded, if he was alone. *Bothwell* laying hold of the opportunity threw a silk-cord around his neck, and dragging him to a neighbouring tree, he there strangled him. The body was then carried into the bed, where it had lain before, and to prevent suspicion the house was blown up by a train of gunpowder, which *Bothwell* had carefully laid.

But the matter is somewhat differently^m reported by *Buchanan* and *Spotiswood*. They relate, that *Bothwell* and the assassines surprised the King in his chamber, whilst he lay asleep, and strangled him in his bed, with one of his Valets, who lay near him : That the two bodies were then convey'd thro' a gate in the Town-wall into a neigh-

^m *Buchan. rer. Scot. lib. XVIII. p. 351. Spotiswood's Hist. of the Church of Scotland, lib. IV. p. 200.*

bouring orchard, and the house blown up. The King's body was afterward found naked, with his cloaths beside him, without a bone broken, or any marks of violence from the powder or the fall.

ⁿ Proclamation was immediately made with offers of large sums of money to any who should discover the King's murtherers. The night following a placart was fix'd upon the *Mercat-crofs*, " That if the money should
" be confign'd to any indifferent person,
" the murtherers should be reveal'd, and the
" informer make known his name, and justify his accusation." Reports were publickly spread abroad, that the Earl of *Bothwell* had murder'd the King, and pictures of the several conspirators dispers'd, with this Inscription, *The King's murtherers*. The Earl of *Lenox* sollicitated the Queen by letters to bring the matter to an Issue, and that Earl *Bothwell* and the rest, who were mention'd in the libels, might be apprehended and brought to justice. *Bothwell* upon this put himself upon his tryal, and upon the

ⁿ Spotswood's *Hist. of the Church of Scotland*, lib. IV. p. 200, & seq. Martyre de Marie Stuart, &c. p. 564, & seq. Buchan. rer. Scotie. lib. XVIII. p. 353.

12th of *April* appear'd in Court, pleaded *Not Guilty* to the Indictment, and was acquitted.

The Earls of *Murray* and *Morton* appear to have been confederate with *Bothwell* in effecting the murder. Upon the day appointed for the execution, the Earl of *Murray* on pretence of his Lady's indisposition left the Court, and retir'd into the Country. And ^e whilst he was upon his journey, speaking of the King's behaviour to a person in whom he repos'd his chief confidence, he told him, that the King would not live to see another day. This the Lord *Herris* publicly reproach'd him with at his own table. The ^p Earl of *Morton* was afterwards convicted of the knowledge and concealing of the King's murder, and acknowledg'd upon the scaffold, that the Earl of *Bothwell* had communicated to him the whole affair.

^o *Bishop Lesley's Defence of the Queen of Scots honour. See also Mar. Stuart. innoc. à caede Darleianâ, &c. p. 51, & seq. L'Innocence de la Roynie d'Escoffe, &c. p. 32, & seq. where this fact is related with somewhat different circumstances.*

^a *Thin's Continuation of Holingshead's Hist. of Scotland, &c. p. 429. Mar. Stuart. innoc. à caede Darleianâ, &c. p. 55, & seq.*

When

When the ¹trial was over, the Earl of *Bothwell* call'd together such of the Nobility, as seem'd most affected to his interest, and falling into discourse about the Queen's marriage and his own credit at Court, he produc'd a schedule he had prepar'd, recommending himself to the Queen for an husband, which he prevail'd upon all present to subscribe. And the Earl of *Morton* and his adherents subscrib'd with the rest. In this writing was farther contain'd an engagement to support the said marriage at the peril of their lives and fortunes, and to prosecute all such as should endeavour to oppose it. For the more easy obtaining their consent, *Bothwell* had before-hand insinuated into the chief of the Nobility, that 'twas the Queen's desire this instrument should be so subscrib'd. But this the ²Queen afterwards did absolutely deny.

Bothwell in the mean while made application to her Majesty, but without any suc-

¹ Spotiswood's *Hist. of the Church of Scotland*, &c. p. 202.

² *Instructions given to the Bishop of Dunblaine, her Majesty's Embassadour in France*, apud Buchan. rer. Scotic. lib. XVII. p. 358.

³ Ibid.

cess. Resolving however to pursue the affair, he took an opportunity as she was returning from *Stirling*, whither she had been to visit the Prince, to intercept her by the way, and forcibly convey her to the Castle of *Dunbar*. The Queen resented this usage, upbraided him with his neglect of her past favours, and the duty and gratitude he ow'd her. *Bothwell* answer'd in a very submissive manner, renew'd his former suit, and with all seeming humility press'd her Majesty to a compliance. When these efforts prov'd ineffectual, he produc'd the Instrument subscrib'd by the Lords. The Queen stood astonish'd at the writing, and could hardly believe what she saw. She then began to reflect upon herself as a prisoner, far from relief, and without hope of redress, since even they, from whom she expected assistance, had combin'd against her. She consider'd the former fidelity and services of *Bothwell*, his authority in the kingdom, and the danger of disobliging the whole body of the Nobility, and began to look upon him with a different view than before. † *Bothwell*

† Spotswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 202.

all this while was suing for a divorce from the Lady *Jane Gordon* his wife, which was granted him in two several Courts. The divorce obtain'd, he repeated his importunities to the Queen, and at last prevail'd upon her to give her consent.

Upon this her Majesty remov'd to the castle of *Edinburgh*, and the next morning order was sent for publishing the Bans. Some little opposition was made by the Kirk-ministers; but notwithstanding this the marriage went on, and was solemniz'd on the 15th of *May* by *Adam* Bishop of *Orkney*, after the manner of the reform'd Churches.

The ^wEarl of *Murray*, who had retir'd into the country the morning before the King's murder, about this time came back to Court, and desir'd leave of her Majesty to take a journey into *France*, which with much difficulty he obtain'd. 'Tis very observable, that when any mischievous design of consequence was to be executed, the Earl

^v Buchan. rer. Scotie. lib. XVIII. p. 357. Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 203.

^w Spotiswood's *Hist. of the Church of Scotland*, lib. IV. p. 204.

^x Mar. Stuart. innocens &c. p. 51. Innocence de la Roynie d'Escoffe, &c. p. 34.

of *Murray* took care to be always out of the way. By this means he stood clearer from suspicion, and could manage to more advantage.

The factious Lords had now found some colourable pretence to charge her Majesty with the King's murder. And tho' by their subscription they were all accessaries to the marriage, yet by urging this instance of her Majesty's conduct as a proof of her guilt, they easily prevail'd upon the credulity of the people. *Bothwell* in the mean time endeavours to get the Prince into his hands, who was then committed to the custody of the Earl of *Marr*. My Lord *Marr* refus'd to give him up without the consent of the three Estates. And as it was not doubted, but his design was to make away with the innocent child, that he might not hereafter revenge the death of his father, a combination is form'd amongst the Lords for the preservation of the Prince's life. *Bothwell* apprehensive of an insurrection, that he might secure a foreign Interest, advises the Queen to send the Bishop of *Dunblaine* her Em-

^v *Melvil's Memoires*, &c. p. 80, & seq. *Spotiswood's Hist. of the Church of Scotland*, &c. p. 204.

bassadour into *France*, with ²instructions containing the motives of her marriage.

^aNot long after the Queen designing to visit the borders, gave orders to her subjects to attend her with a provision of fifteen days according to custom. Upon this a rumour was spread abroad, that her Majesty was raising forces to carry off the Prince, and oblige my Lord *Marr* to deliver him up into the hands of *Bothwell*. The Queen hereupon publish'd a Declaration, “to certify the people of her good affection, and that she never meant to make any innovations in the kingdom, by altering the laws, nor do any thing in the publick affairs, but by the advice of the Noblemen of her Council. And for her son, as she had trusted him to such a Governour, as other Princes in former times were accustomed to have, so her motherly care for his safety and good education should be made apparent to all.” But these declarations were little minded; and the ^bNo-

² See the Appendix, Num. II.

^a Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 205.

^b Melvil's *Memoires*, &c. p. 82.

blemen, who had conven'd at *Stirling*, had privately concluded to pursue the Murderer, and to crown the Prince. Hereupon they have recourse to Arms, and sit down before the Castle of *Borthwick*, where the Queen and *Bothwell* then lay. But their numbers not sufficing to encompass the house, *Bothwell* first made his escape, and the Queen follow'd after disguis'd in man's apparel, and fled to *Dunbar*.

Upon the^d Queen's escape the Lords march to *Edinburgh*, and make themselves masters of the town. And the next day being the 12th of *June*, they publish a Proclamation, declaring, “ that the Earl of *Bothwell* hav-
 “ ing put violent hands upon the Queen's per-
 “ son, had warded her Highness in the Castle
 “ of *Dunbar*, and retaining her in his pow-
 “ er, had seduced her, being destitute of all
 “ counsel, to an dishonest and unlawful
 “ marriage with himself, who was known
 “ to have been the principal author, deviser,
 “ and actor, in the cruel murder commit-

^c Buchan. rer. Scotie. lib. XVIII. p. 361. Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV, p. 205.

^d Spotiswood, &c. *ibid*.

“ ted upon the late King’s person, and that
 “ he was daily gathering forces and streng-
 “ thening himself by all means, of purpose,
 “ as appeared, to get into his hands the
 “ young Prince, that he might murther him
 “ in the like sort, as he had done his father;
 “ which the Nobility of the Realm had re-
 “ solv’d to withstand, and to deliver the
 “ Queen out of his bondage. Therefore
 “ did they charge all and sundry the Lieges
 “ within the Kingdom to be in readiness
 “ upon three hour’s warning, to assist the
 “ said Noblemen for delivering the Queen
 “ from captivity, and bringing the said Earl,
 “ and his Complices, to underlie the trial
 “ and punishment of Law for the foresaid
 “ murther. Commanding all such, as will
 “ not join with the said Noblemen, to de-
 “ part forth of the Town of *Edinburgh*
 “ within four hours after the publication
 “ made, under pain to be reputed as ene-
 “ mies &c.

But notwithstanding this Proclamation,
 great numbers both of the Nobility and

^e Buchan. rer. Scotie. lib. XVIII. p. 362. Spotif-
 wood’s *Hist. of the Church of Scotland*, &c. lib. IV.
 p. 205, & seq.

People resorted to her Majesty, insomuch that within a short time she found herself at the head of an army of upwards of 4000 men, and superiour in strength to the Rebels. This put the Lords under great difficulties ; for the Nobility falling from them, and the zeal of the common people beginning to abate, and being destitute withal of all necessary provision for the carrying on of a war, they were just upon the point to disband, and lay aside the execution of their project 'till a more convenient opportunity. But the Queen's conduct alter'd their resolution, and prov'd more favourable to 'em, than they could have expected. Her Majesty relying upon her numbers and the justice of her cause, march'd streight to *Leyth*, and determin'd to fall upon the Rebel Army ; whereas nothing could have been more advantageous to her, than to have tarried some few days at *Dunbar*, since by this means her army would have encreas'd by the coming in of her friends at a distance, and the Lords would have been obliged to retire. Upon information of her Majesty's approach the Lords took to their arms, and made directly towards *Musselburgh*, a village
about

about two miles distant from *Preston* ; and about the middle of the day the two armies came within sight of each other. The Queen was posted with her men upon the top of *Carberry-hill*, and the Lords were possess'd of the plain. As they were ready to engage, the *French* Embassador interpos'd, and addressing himself to the Lords, desir'd that matters might be amicably made up, for her Majesty was inclin'd to peace, and willing to forgive both the present insurrection and all past offences. My Lord *Morton* replied, " They had taken arms, not against the " Queen, but the Murtherer of the King ; " that if she would either give him up to " be punish'd, or remove him from her company, she should then find they were desirous to continue in all dutiful obedience to her ; and that they could admit of peace upon no other condition. Neither are we come, said he, to ask pardon for any offence that we have done, but rather to give pardon to those that have offended." The Embassadour finding his endeavours to avail nothing, took his leave, and departed for *Edinburgh*.

In the mean time the Laird of *Grange* rode round the hill with two hundred of the horse, designing to get between the Queen's army and *Dunbair*, and to make his attack from the plain, whilst the rest of the Lords should ascend the hill on that side, where the enemy lay encamp'd. Upon information who it was, that rode at the head of this company, the Queen sent to desire he would come up, and speak with her under surety. He gave notice to the Lords of the Queen's request, who granted him their permission. He told her, that the Lords were all dispos'd to serve and honour her, upon condition she would abandon the Earl of *Bothwell*. After several messages she at last agreed to accept of the terms propos'd, and to give herself up into their hands. The Laird of *Grange* saw *Bothwell* part, and came down to inform the Lords. They desir'd him to go up again, and receive her Majesty, who met him and told him, she surrender'd to him upon the conditions he had offer'd in the Lords names. Upon this she gave him her hand, which he kiss'd,

Melvil's *Memoires*, &c. p. 83.

and

and led her horse by the bridle down the hill to the Lords, who drew near to meet her.

Her Majesty addressed herself to 'em in words to this effect, " My Lords, I am come
" to you, not out of any fear I had of my
" life, nor yet doubting of the victory, if
" matters had gone to the worst, but I ab-
" hor the shedding of Christian blood, espe-
" cially of my own subjects; and therefore
" I yield to you, and will be ruled hereaf-
" ter by your counsels, trusting you will re-
" spect me as your native Princess and
" Queen." ^hThe Lords receiv'd her with
all possible reverence and respect, and an-
swer'd dutifully at the first. But she had not
been many hours in the camp, before the
scene was chang'd, and she was treated with
all imaginable insults and indignity; the
common soldiers crying out against her,
Burn the Whore, Burn the Parricide. There
was carried before her a painted ensign,
where the King was represented as lying

^g Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 207.

^h Buchan. rer. Scotie. lib. XVIII. p. 364. Con. Vit. Mar. Stuart. Scot. Reg. p. 96. Crawford's *Memoirs of the Affairs of Scotland*, &c. p. 39.

dead under a tree, and the young Prince upon his knees, praying, *Judge and revenge my cause, O Lord.* In this manner she was convey'd to *Edinburgh*, as it were in triumph, but so cover'd over with dust and tears, that she made a most lamentable figure. When she drew near the town, the whole City came out to meet her, and she was carried thro' the crowd a publick gazing-stock to the Provost's lodgings.

Within ⁱ two days after by the Lords direction she was sent close prisoner to the castle of *Lochlevin*, and ^k committed to the custody of the Earl of *Murray's* mother, a Concubine of King *James* the fifth's; who aggravated the Queen's calamity by her railing and reproaches, boasting herself to have been King *James's* lawful Wife, and her son *Murray* his legitimate Issue. ^l The Lords *Ruthuen* and *Lindesay*, who had guarded her Majesty to *Lochlevin*, had orders from the Lords to treat with her for the resignation of the Crown to her son. This pro-

ⁱ Buchan. rer. Scotie. lib. XVIII. p. 364.

^k Camden's *Hist. of Queen Elizabeth*, lib. I. p. 94.

^l Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 210, & seq.

position she took very ill, and warmly answer'd, "She would sooner renounce her life, than her throne." In the mean while the Earls of *Athol*, *Marr*, and Secretary *Lidington*, with the Laird of *Grange*, send Sir *Robert Melvil* to her Majesty, perswading her, as she valued her life, to comply with whatever was requir'd of her, and alledging that her concessions at this time could be of no significancy, as being extorted by Dureffe and a just fear. She receiv'd at the same time letters from Sir *Nicholas Throgmorton*, Embassadour of *England*, to the same effect. But whilst she was considering with herself what part she should take in this extremity, my Lord *Lindesay* enter'd the room with the bonds of resignation ready drawn in his hands; and upon her Majesty's declining to sign 'em, he broke out into rage and violence, and solemnly swore, that unless she immediately set her seal to 'em, he would sign 'em with her blood. The Queen upon this judg'd proper to comply with the necessity of the times, and the tears all the while running down her cheeks, she sub-

^m Martyre de la Roynne d'Escoffe, p. 574. See also Sir James Melvil's *Memoirs*, &c. p. 85.

scrib'd, without reading 'em, to ⁿthree Instruments, by which she made an absolute resignation of the Crown to her Son, appointed the Earl of *Murray* Regent of the Kingdom during his minority, and in case of his refusal to exercise the government alone, she nominated seven others to act in conjunction with him. These Acts were drawn up in the following terms.

*The tenor of the Commission, whereby
MARY the Queen of SCOTS re-
signeth the Crowne to her Sonne,
appointeth his Gardians, and ma-
keth the Earle of MURREIE Re-
gent.*

“ **M**ARY, be the grace of God quene
“ of *Scotis*, to all and findrie our
“ judgeis and ministeris of Law, liegis and
“ subjectis, quhome it effeiris, to quhais
“ knalege thir our letteris fall come, greting.
“ Forfamekle as by lang irkesome and te-

ⁿ Holingshead's *Hist. of Scotland*, &c. p. 388.

" dious travell takin by us, in the governa-
 " ment of this our realme and liegis thair-
 " of, we are sa vexit and weriit, that our
 " bodie, spirit, and sensis are altogeddir be-
 " come unhabill langer to travill in that
 " rowme ; and thairfore we have dimittit
 " and renuncit the office of government
 " of this our realme and liegis thairof, in
 " favouris of our anelie maist dèir sonne
 " native prince of this our realme. And
 " because of his tender zouth and inhabi-
 " litie to use the said government in his
 " awin persoun, during his minoritie, we
 " have constitute our derrest brother *James*
 " Earle of *Murreie*, Lord *Abernethie*, &c.
 " regent to our said sonne, realme, and
 " liegis foresaidis.

" And in respect that our said derrest
 " brother is actually furth of our realme, and
 " cannot instantlie be present to accept the
 " said office of regentrie upon him, and use
 " and exerce the samin during our saidis
 " derrist sonn's minoritie ; we quhill his
 " returning within our realme, or in cais
 " of his deceis have maid, constitute, namit,
 " appointit and ordainit, and by thir our
 " letteris makis, constitutis, namis, appointis,
 " and

“ ordainis our traist consingis and counsa-
 “ louris, *James Duke of Chatelerauld*, Earle
 “ of *Arrane*, Lord *Hamiltoun*, *Matho Earle*
 “ of *Levinax*, Lord *Dernelie &c. Archi-*
 “ *bald* Earle of *Argile*, Lord *Campbell* and
 “ *Lorne*, &c. *John Earl of Atholl*, *James*
 “ Earl of *Mortoun*, *Alexander Earl of Glen-*
 “ *carne*, and *John Earl of Mar*, regentis to
 “ our said derrest son, realme and liegis ;
 “ and in cais our said brother *James Earl*
 “ of *Murreie* cum within our realme, and
 “ refusis to accept the said office of regent-
 “ ric upon his singular persoun, we make,
 “ constitute, name, appoint, and ordeine,
 “ our traist consingis and counsalouris foir-
 “ saidis and our said brother regentis of our
 “ said deir sonne, realme, and liegis.

“ Gevand, grantand, and committand to
 “ thame, or onie five of thame conjunctlie
 “ full power for our said sonne, and in his
 “ name to ressave resignatiounis of landis,
 “ make dispositiounis of wairdis, non-en-
 “ tressis, relevis, mariageis, beneficis, ef-
 “ cheris, officis, and utheris casualiteis and
 “ privilegeis quhatsumever concerning the
 “ said office, signatouris thairupon to make,
 “ subscribe, and cause be past through the
 “ seillis.

“ feillis. And to use and exerce the said
 “ office of regentrie in all thingis, privilegeis,
 “ and commoditeis, siclike as freely, and
 “ with als greit libertie as onie regent or
 “ governor to us or our predeceffouris usit
 “ the samin in ony times bigan. Promit-
 “ tand to hald firme and stabill in the word
 “ and faith of ane Prince to quhatsumever
 “ thingis our saidis traist cousingis dois in
 “ the premissis.

“ Charging heirfore zow all and findrie
 “ our judgeis and ministeris of law, liegis
 “ and subjectis foirsaidis, to answer and obeie
 “ to our saidis traist cousingis, regentis foir-
 “ saidis, in all and findrie thingis concern-
 “ ing the said office of regentrie, during our
 “ said derrest sonis minoritie, and ay and
 “ quhil he be of the age of seventeene zeiris
 “ compleit : As ze and ilke ane of zow
 “ will declair zow luifing subjectis to our
 “ said maist deir son, zour native prince,
 “ and under all paine, charge, and offence,
 “ that ze and ilke any of zow maie commit
 “ stand inrin against his majestie in that pairt.
 “ Subscrivit with our hand, and given un-
 “ der our privie seill, at *Lochlevin*, the

To

K

“ fourc

“ foure and twentieth day of *Julii*, and of
 “ our reigne the five and twentieth zeir.

*The Commission authorising certeine
 Noblemen in the Queen's name to
 renounce the kingdome to hir sonne,
 and authorising others to receive the
 same in hir sons name.*

“ **M**ARIE, be the grace of God queene
 “ of *Scotis*, to all and findrie our
 “ judgeis, and ministeris of law, liegis, and
 “ subjectis, quhome it effeiris, to quhais kna-
 “ lege thir our letteris fall cum, greting.
 “ Forfamekle as sen our arrivall, and return-
 “ ing within our realme, we willing the com-
 “ moun commoditie, welth, profeit, and
 “ quietnes thairof, liegis, and subjectis of
 “ the famin, have emploijt our bodie, spi-
 “ rit, haill sensis, and forcis, to govern the
 “ famin in sic sort, that our roiall and ho-
 “ norabill estate nicht stand and continue
 “ with us, and our posteritie, and our luifing
 “ and kind liegis nicht injoie the quietnisse
 “ of

“ of true subjectis. In travelling quhairin,
“ not anelie is our bodie, spirit, and sensis
“ sa vexit, brokin, and unquietit, that lan-
“ ger we are not of habilitie be ony meane
“ to indure sa greit and intollerabill panis
“ and travellis, quhairwith we ar altogidder
“ weriit, bot als greit commotiounis and
“ troublis be findrie occasiounis in the mein-
“ time hes ensuit thairin, to our greit grief.
“ And seing it has beene the plesour of
“ the eternall God, of his kindlie lufe, mer-
“ cie, and gudnes to grant unto us, of our
“ awin persoun, ane sone, quha in cais be
“ the hand of God we be veseit, will, and
“ of richt, and of equitie, man and aucht
“ to succeid to us and to the gouvernement
“ of our realme. And knowing that all crea-
“ turis are subject to that immutabill decreit
“ of the eternall, ains to rander and gif up
“ this life temporall (the hour and time
“ quhairof is maist uncertan) and in cais be
“ deceis we be takin fra this life, during the
“ time of his minoritie, it maie be dowtit
“ greitlie, that resistance and troubill maie
“ be maid to our said son, now native prince
“ of this our realme, in his tender zeires
“ (being swa destitute of us) to succeid to

“ that rowme and kingdome, quhilk maist
“ iustlie of all lawis apperteineis to him.
“ Quhilk inconvenience be Godis helpe and
“ gud providence we mene to prevent, in
“ sick manner, that it fall not lie in the
“ power of onie unnatural subjects to resist
“ Godis ordinance in that behalfe. And
“ understanding that na thing eirdlie is mair
“ joious and happie to us, nor to see our
“ said derriest sonne, in our awin life time
“ peciablle placit in that rowme and hono-
“ rabill estate, quhairto he iustlie aucht and
“ man succeid to ; we of the motherlie af-
“ fectioun we beir toward our said anlie
“ sonne, have renuncit and dimittit, and be
“ thir our letteris freelie, of our awin mo-
“ tive will, renuncis, and dimittis the go-
“ vernement, guiding, and governing of
“ this our realme of *Scotland*, liegis, and
“ subjectis thair of, and all intromissioun and
“ dispositioun of onie casualities, properties,
“ benefices, and offices, and all thingis ap-
“ perteneing, or heirtofoir is knawin, or
“ heirefter fall happen, to appertein thairto,
“ in favouris of our said derrest sone. To
“ that effect, that he maie be plantit, pla-
“ cit, and possessit thairin, use and exercē
“ all

“ all thingis belanging thairto, as native king
 “ and prince of the samis, and siclike as we
 “ or onie our predeceffouris, kingis of *Scot-*
 “ *tis*, has done in onie times bypast.

“ Attour, that this our dimission maie
 “ tak the mair solempne effect, and that nane
 “ pretend ignorance thairof, we have givin,
 “ grantit, and committit, and be thir our
 “ letteris, gevis, grantis, and committis our
 “ commissioun, full, fre, and plane power,
 “ generall and speciall command, to our
 “ traist cousingis, *Patrike Lord Lindefaie* of
 “ the *Biris*, and *William Lord Ruthuen*,
 “ and to ilke ane of thame conjunctlie and
 “ severallie, to compeir before sa monie of
 “ the nobilitie, clergie, burgeslis, and uther
 “ pepill of our realme, as fall happin to be
 “ assemblit to that effect in our burgh of
 “ *Striviling*, or anie uther place or placis,
 “ quhair it fall be thocht maist conveni-
 “ ent, at onie daie or daiis, and thair pub-
 “ likelie in thair presence, for us, in our
 “ name, and upon our behalf dimit, and
 “ renunce the gouvernement, giding, and reul-
 “ ing of this our realme, liegis, and sub-
 “ jectis thairof, all intromissioun with the
 “ propertie, casualtie, or utheris thingis ap-

“ pertaineing to us thairby, and all richt and
 “ title that we had, hes, or maie have be onie
 “ maner of way thairto, in favouris of our
 “ said son, to that effect, that he maie be in-
 “ augurat, placit, and rowmit thairin, and
 “ the crowne roiall deliverit to him, and be
 “ obeyit in all thingis concerning the samin,
 “ as we, or our predeceffouris has been in
 “ times bypast.

“ And in likewise be thir presents gevis,
 “ grantis and committis our full, fre, and
 “ plane power, to our richt traist coufingis,
 “ *James Earle of Mortoun, Lord of Dal-*
 “ *keith, John Earle of Atholl &c. John*
 “ *Earle of Marr &c. Alexander Earle of*
 “ *Glencarne, William Earle of Menteith,*
 “ *John Maister of Graham, Alexander Lord*
 “ *Hume, Adam Bischop of Orkneie, the*
 “ *Provestis of Dundie, Montrois, or onie*
 “ *of thame, to reslave the said renuntiatioun,*
 “ *and dimissiou in favouris of our said son,*
 “ *and thair efter the reslaving thair of, to*
 “ *plant, place, and inaugurat him in the*
 “ *kingdome, and with all ceremonies requi-*
 “ *fit to put the crown roiall upon his heid,*
 “ *in signe and takin of the establesing of*
 “ *him thairin, and in his name to make and*
 “ gif

“ gif to the saidis nobilitie, clergie, burges-
“ sis, and utheris our liegis, his princelie and
“ kinglie aith detfullie and lauchfullie as
“ effeiris ; and to reffave thair aithis, for due
“ and lauchfull homage to be maid be thame
“ to him, in all times cuming, as becumis
“ subjects to their native king and prince.
“ And generallie all and sindrie uther thingis
“ to doo, exerce, and use, that for sure per-
“ formance and accomplishment heirof maie,
“ or can be doone, firme and stable haldand,
“ and for to hald all and quhatsumever
“ thingis in our name, in the premissis leidis
“ to be doone, in the word and faithfull
“ promis of ane prince. And ordanis thir
“ our letteris (gif neid beis) to be publisht
“ at all places neidful. Subscrivit with our
“ hand, and givin under our previe seill, at
“ *Lochlevin* the foure and twentieth daie of
“ *Julii*, and of our reigne the five and twen-
“ tith zeire, 1567.



*The Commission, in which the Earle
of MURREIE is alone appointed
to be Regent of the yoong king, and
of his kingdome.*

“ **M**ARIE, be the grace of God
“ queene of *Scotis*, to all and
“ findrie our judgis, and ministeris of our
“ lawis, liegis, and subjectis, quhome it ef-
“ feris, to quhais knalege thir our letteris
“ fall cum, greting. Forsamekle as efter
“ lang, greit, and intollerabil panis, and
“ labouris taken be us sen our arrivall with-
“ in our realme, for governament thair of,
“ and keeping of the liegis of the same in
“ quietnes, we have not anelie beene vexit
“ in our spirit, bodie, and sensis thairby, bot
“ als at length at altogidder sa vexit thair of,
“ that our habilitie, and strength of bodie
“ is not habill langer to endure the famin,
“ thairfore, and because nathing eirdlie can
“ be mair confortabill and happie to us in
“ this eird, nor in our life time, than to se
“ our deir son, the native prince of this our
“ realme, placit in the kingdome thair of,
“ and

“ and the crowne roiall set on his heid, we
 “ of our awin fre will, an speciall motive,
 “ have dimittit and renuncit the governa-
 “ ment, giding, and governing of this our
 “ realme of *Scotland*, liegis, and subjectis
 “ thairof, in favouris of our said son, to
 “ that effect, that in all times heirefter, he
 “ maie peciablle and quietlie enjoie the
 “ famin, without trouble, an be obeit as
 “ native king, and prince of the famin be
 “ the liegis thairof.

“ And understanding that (be resoun of
 “ his tender zouth) he is not of habilitie in
 “ his awin persoun to administrate in his
 “ kinglie rowme and government, as equi-
 “ tie requiris, quhill that heirefter he cum
 “ to the zeires of discretioun; and als know-
 “ ing the proximitie of blude standand be-
 “ tuixt us, our said sone, and our derrest
 “ brother *James* Erle of *Murreie*, Lord
 “ *Abirnethie &c.* and havand experience of
 “ the natural affectioun, and tenderlie lufe
 “ he has in all times borne, and presentlie
 “ beires towardis us, the honour and estate
 “ of our said sone; of quhais lufe and fa-
 “ vour towardis him we can not bot assure
 “ our selfe; to quhome na greter honour,
 “ joy,

“ joy, nor felicitie in eird can cum, nor to
 “ se our saide sone inaugurat in his king-
 “ dome, feirit, reverencit, and obeit be his
 “ liegis thairof. In respect quhairrof, and
 “ of the certanetie and notoritie of the ho-
 “ nest habilitie, qualificatioun, and sufficien-
 “ cie of our said derrest brother, to have
 “ the care and regiment of our said sone,
 “ realme, and liegis foirsaidis, during our
 “ said sonis minoritie ; we have maid, na-
 “ med, appointit, constitute, and ordanit,
 “ and be thir our letteris namis, appointis,
 “ makis, constitutis, and ordanis our said
 “ derrest brother *James Earle of Murreie*,
 “ Regent to our said derrest sone, realme,
 “ and liegis foirsaidis, during his minoritie
 “ and lessage, and ay and quhill he be of
 “ the age of sevintene zeiris compleit. And
 “ that our said brother be callit, during the
 “ said space, regent to our said sone, his
 “ realme, and liegis.

“ Swa that our said sone efter the com-
 “ pleting of the zeiris foirsaidis, in his awin
 “ persoun may tak upon him the said go-
 “ vernament, and use and exerce all and
 “ findrie privilegis, honouris, and utheris
 “ immunitis, that appertenis to the office
 “ of

“ of ane king, als weill in governing his
 “ realme and pepill, according to the lawis,
 “ as in repressing the violence of sic as wald
 “ inuaid, or injustlie resist him or thame, or
 “ his authoritie royall. With power to our
 “ said derrest brother *James* Earle of *Mur-*
 “ *reie*, in name, authoritie, and behalf of our
 “ said maist deir sone, to ressave resigna-
 “ tiounis of quhatsumever landis halden of
 “ him, or zit of offices, castles, towris, for-
 “ talicis, milnis, fischingis, woddis, bene-
 “ ficis, or pertinencis quhatsumever ; the
 “ samin again in our said sonis name to gif,
 “ and deliver signaturis thairupon, and upon
 “ the giftis of wairdis, nonentressis, and
 “ relevis of landis, and mariageis of airis
 “ falland, or that fall happin to fall in our
 “ said sonis handis as superiour thairof.

“ And als upon presentatioun of landis,
 “ beneficis, eschetis of guidis mouabill and
 “ unmouabill, dettis and takkis, respittis,
 “ remissounis, supersedereis, and upon the
 “ dispositioun of officis vacand, or quhen
 “ they fall happen to vaile, to subscribe and
 “ cause be past the seillis the said office of
 “ regentrie, to use and exerce in all thingis,
 “ privilegeis and commoditeis, siclike as
 “ frelie,

“ frelie, and with als greit libertie, as ony
“ regent or governor to us, or our pre-
“ decessouris usit in ony times bigane, and
“ siclike as gif every heid, privilege, and ar-
“ ticle concerning the said office wer at
“ length expressit and amplifit in thir our
“ letteris. Promisand to hald firme and sta-
“ bill in the word and faith of ane Prince,
“ to quhatsumever thingis our said derrest
“ brother in the premissis happinnis to do.
“ Charging heirfoir zow all, and findrie our
“ judgeis and ministeris of law, liegis, and
“ subjectis foirsaidis, to answer and obey to
“ our said derrest brother, in all and findrie
“ thingis concerning the said office of re-
“ gentrie, as ze and ilk ane of zow will
“ declair zow luifing subjectis to our said
“ maist deir sone, and under all pain, charge,
“ and offense, that ze and ilke ane of zow
“ may commit, and inrin againis his Ma-
“ jestie in that pairt. Subscrivit with our
“ hand, and gevin under our previe seill,
“ at *Lochlevin* the 14th day of *Julii*. And
“ of our reigne the twentie five zeir.

On ° the fifth day after the Queen's resignation, the young Prince was crown'd King by the Bishop of *Orkney* and two of the superintendents, *John Knox* preaching the Coronation sermon. The Earl of *Morton* and the Lord *Hume* took an oath in the King's name, that he should maintain the establish'd religion, and administer justice with an impartial hand. The *English* Embassador by Queen *Elizabeth's* order refus'd to be present at the solemnity, that he might not seem to approve of the Queen's deposition.

The Lords had sent letters to the Earl of *Murray*, desiring him to return home. ¶ Upon information, that he was come back as far as *London*, Sir *James Melvil* was order'd to meet him at *Berwick*, and lay before him an account of all their proceedings, and desire him to accept of the Regency. He made a shew, as tho' he was unwilling to take upon him the government, but was inwardly right glad at what had happen'd.

° Camden's *History of Queen Eliz.* &c. lib. I. p. 96.
 Spotswood's *Hist. of the Church of Scotland*, lib. IV.
 p. 211. Buchan. rer. Scotic. lib. XVIII. p. 366.

° Melvil's *Memoires*, &c. p. 87.

There was sent along with him a *French* Embassadour, whose business was to have interceded for the captive Queen. But he acted very coldly in her behalf, and alledg'd, that he came not to offend any of the Lords; for the old alliance between *France* and *Scotland* was not made with any particular prince, but was a league between the estates of the two kingdoms. ^q On the 11th of *August* the Earl of *Murray* came to *Edinburgh*, and was receiv'd with great acclamations of joy. Some few days after he visited the Queen at *Lochleven*, ^r but instead of administering words of comfort, he reproach'd her in a most injurious manner; and such as were displeas'd with this procedure, lost his favour for ever. He then return'd to *Edinburgh*, and ^s on the 20th of *August* was elected Regent in a Convention of the Lords; his election was publish'd the same day, and a charge given to all the subjects of *Scotland*,

^q Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 211.

^r Melvil's *Memoires*, &c. p. 87.

^s Spotiswood's *Hist. of the Church of Scotland*, &c. lib. IV. p. 212. In *Crawford's Memoirs the Earl of Murray is said to have been elected Regent on the 22^d. of August*, p. 50.

to obey him as Governour of the realm during the King's minority.

However, a certain number of the Lords, who had not wholly cast off the regards of duty and allegiance to her Majesty's person, got together, and enter'd into a combination to venture their lives and fortunes in her Majesties defence, and procure her liberty by force of arms, if it was not otherwise to be obtain'd. The engagement they enter'd into upon this occasion was express'd in the manner following.

“ Forasmuch as considering the Queen's
 “ Majesty our Sovereign to be detain'd at
 “ present at *Lochleven* in captivity, where-
 “ fore the most part of her Majesties lieges
 “ cannot have free access to her Highness,
 “ and seeing it becomes us of our duty to
 “ seek her liberty and freedom, We Earls,
 “ Lords, and Barons under-subscribing, pro-
 “ mise faithfully to use the outmost of our
 “ endeavours by all reasonable means to pro-
 “ cure her Majesties liberty and freedom,
 “ upon such honest conditions as may stand

* Melvil's Memoires, &c. p. 88.

“ with

“ with her Majesties honour, the common
“ weal of the whole Realm and security of
“ the whole Nobility, who at present have
“ her Majesty in keeping; whereby this our
“ native realm may be governed, ruled, and
“ guided by her Majesty and her Nobility,
“ for the common quietness, the administra-
“ tion of justice, and weal of the country.
“ And in case the Noblemen, who have her
“ Majesty at present in their hands, refuse to
“ set her at liberty, upon such reasonable
“ terms as said is, in that case we shall em-
“ ploy ourselves, our kindred, friends, ser-
“ vants, and partakers, our bodies and lives,
“ to set her Highness at liberty, as said is;
“ and also to concur to the punishment of
“ the murther of the King her Majesties
“ husband; and for sure preservation of the
“ person of the Prince, as we shall answer
“ to God, and on our honours and credit.
“ And to that effect shall concur every one
“ with other at our utmost power.” And if
“ any shall set upon us, or any of us, for
“ the doing as aforesaid in that case, We
“ promise faithfully to espouse one another’s
“ interest under pain of perjury and infamy,
“ as

“ as we shall answer to God. In witness
 “ whereof, we have subscrib’d these pre-
 “ sents with our hand at *Dumbartoun*, the
 “ day of

St. Andrews

Argyle

Huntly

Arbroth

Galloway

Ross

Fleeming

Herris

Skirling

Killwanning

Will. Hamiltoun of
of Sanchir, Knt.

This & small number, who first subscrib’d the Association, were soon after increas’d by a considerable party of followers, who join’d ’em either out of affection to the injur’d Queen, or thro’ hatred to the rebellious Lords.

The Court of *England* on the other hand took all possible pains to kindle the fire, and keep up the spirit of both parties with hopes of assistance. They openly favour’d the faction of the Lords, as being the strongest and greatest; but by private practices insinuated themselves into the good opinion of the

⁊ Melvil’s Memoires, &c. p. 89.

Queen's adherents, alledging that her cause was just and right, and her authority the only lawful power within the realm.

1568. In ² *January* following the Regent caus'd to be executed *John Hepburn*, *John Hay* the younger of *Tallow*, and *Powrie* and *Daglish*, two of *Bothwell's* Valets-de-Chambre, who were found guilty of the King's murder by their own confessions. When ^a they came to die, they were dealt with to accuse the Queen, and had promise of life and pardon, if they would charge her Majesty with the murder. But they protested before God and his holy Angels, that they understood from *Bothwell*, that the Earls of *Murray* and *Morton* were the authors of the King's death, and that her Majesty was perfectly innocent. The like declaration was afterwards made by the Earl of *Bothwell* himself, who upon his deathbed, in *Denmark*, where he had lain a prisoner for several years, made a most

² *Spotiswood's Hist. of the Church of Scotland*, &c. lib. V. p. 214.

^a *M. Stuart. innoc. à caede Darleianâ*, p. 53. seq. *L'Innocence de la Royné d'Escoffe*, &c. p. 36. seq. *Camden's Hist. of Queen Eliz.* lib. I. p. 97. *Martyre de la Royné d'Escoffe*, &c. p. 581.

solemn protestation, that her Majesty was entirely ignorant of the whole affair.

As the ^b spring advanced, the Regent purpos'd to make a justiciary progress throughout the kingdom. In the mean while, he was careful to get possession of such places as stood distinguish'd by the strength of their situation. The principal of these were the Castles of *Edinburgh*, *Dunbar*, and *Dunbarton*. Sir *James Balfour* was Governour of the castle of *Edinburgh*, and had done the Regent very signal services in the late troubles. But his former friendship with *Bothwell* made him still suspected, and he was oblig'd to surrender up his charge into the hands of the the Laird of *Grange*. The Regent manag'd so little to the general satisfaction, that several who had been principal agents in his advancement, left his party thro' fear of his severity, and return'd to their duty. These sought all possible means to set the Queen at liberty; and in the beginning of *May* following, they found an opportunity to put their design in execution.

^b Spotiswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 214. Melvil's *Memoires*, &c. p. 99.

They had ^c drawn over to their party, *George Douglas*, the Laird of *Lochlevin's* youngest brother, and half-brother to the Regent, a young gentleman of resolution and courage, and who was inwardly mov'd with compassion at the Queen's hard treatment. Upon suspicion of his being engaged to attempt her Majesty's deliverance, he had been sent out of the island some days before. However, having gain'd the keepers, the Queen was convey'd thro' the house, while the family was at dinner, and carried over the lake in a small boat, to the opposite side, where he stood waiting with the Lord *Seton* and a small body of horsemen to receive her. The first night she lay at *Nudrie* in *West-Lothian*, and the next day went to *Hamilton*, where she was attended by a great number of Lords and Gentlemen. And here she declar'd in council, that her resignation of the Crown was

^c Camden's *Hist. of Queen Elizabeth*, lib. I. p. 108. Buchan. rer. Scotie. lib. XIX. p. 368. Spotiswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 215. Con supposes that the Queen was convey'd thro' the House by George Douglas in person, and is herein follow'd by Caussin. See L'Histoire de l'incomparable Reyne Marie Stuart, &c. and Con's Vit. M. Stuart, &c. p. 101. seq.

involuntary, and extorted by fear; and supported her declaration by the testimony of Sir *Robert Melvil*, and several others, there present. Upon which her abdication was declared to be null and void, and proclamations were made in her Majesty's name, requiring all her subjects to repair to her in arms, to aid and assist her against the rebels, who had usurp'd the royal authority.

The ^d Regent was then holding a Justice-Court at *Glasgow*, and upon information of the great forces the Queen had so suddenly got together, was advis'd by his friends to retire to *Stirling*. But this advice he prudently rejected, as well judging, that his retreat would be interpreted a flight, and would discourage his friends, and strengthen his enemies. Upon this resolution, he dispatch'd messengers into the neighbouring countries to demand assistance, and within the space of a few days found himself at the head of 4000 men. ^e Mr. *de Beumont* the the *French* Embassador labour'd to make peace between the two parties, but without

^d Buchan. rer. Scotie. lib. XIX. p. 370. Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 215.

^e Melvil's *Memoires*, &c. p. 90. seq.

any effect. The Queen was unwilling to hazard a battle, inclining rather to withdraw to the Castle of *Dunbarton*, and reduce her subjects to their obedience by milder and more gentle methods. To this purpose she had sent a letter to Sir *James Melvil* and the *French* Embassador, desiring that an amicable meeting might be propos'd, and Secretary *Lidington* and the Laird of *Grange* be appointed to mediate the affair with the Lord *Herris*, and some other person whom her Majesty should name. But these councils, Sir *James Melvil* tells us, were over-rul'd by the Archbishop of *St. Andrews*, and the house of *Hamilton*, who finding themselves superiour in number, thought they were secure of the victory, and prevail'd on the Queen to take the Field.

The Earl of *Argyle* was declar'd Lieutenant-General, and the Army order'd to march towards *Glasgow*. The Regent, on the other hand, march'd out on foot, with the rest of his company, except the Laird of *Grange*, and about 200 horse. The ground had been view'd before by the Laird of *Grange*, who very diligently took care to
post

post his men to advantage, near the Town of *Langside*, which is situate upon the river *Carthe*, and lay directly in her Majesty's road. Here the two armies met, and after a very fierce engagement the victory inclin'd to the Earl of *Murray*. There fell that day upwards of three hundred Men; and about the same number were taken prisoners.

Blackwood^f reports, that her Majesty was determin'd to fight rather out of necessity than choice; that a person of distinction, who was a member of her council, and had follow'd her cause with no other view than to betray her, had disclos'd her purposes to the Regent the night before, and advised him by what means he shou'd dispose of his army, so as to make it be most serviceable; and that pursuant to this advice, he took possession of the ground near *Langside*, and ow'd his victory to the advantage of his situation.

The Queen,^g discourag'd by this ill success, made all possible haste to escape by flight, and rode sixty miles the same day.

^f Martyre de la Roynie d'Escoffe, &c. p. 586. seq.

^g Camden's *Hist. of Queen Elizabeth*, lib. 1. p. 108.
Martyre de la Roynie d'Escoffe, &c. p. 588.

She bent her course towards *England*, and rested not till she came to *Dundreven*, a seat of the Lord *Herris's*, in *Galloway*. Here she call'd a council, and, contrary to the general opinion of her friends, declared her resolution to retire into *England*; chusing rather to commit her self to the Mercy of the waves, and the protection of Queen *Elizabeth*, than to depend any longer upon the fidelity of her subjects. The Archbishop of St. *Andrews* besought her, with tears in his eyes, to desist from her purpose, and laid before her several instances of her ancestors, who had severely suffer'd for having relied too much upon the friendship of the *English*. But the Queen was nothing mov'd with this remonstrance, nor would be in the least perswaded that Queen *Elizabeth* cou'd ever prove false to the^h solemn promises and engagements she had made her by word and writing, both before and after her captivity in *Locklevin*. However, ⁱshe sent *John Beton* into *England* to

^h See Sir James Melvil's *Memoires*, &c. p. 92. L'Innocence de la Roynie d'Escoffe, &c. p. 60. seq.

ⁱ Camden's *Hist. of Queen Elizabeth*, lib. i. p. 109. The Messenger is said to have been Sir Robert Melvil, in Mr. Crawford's *Memoirs*, &c. p. 70.

prepare the way, with a diamond she had formerly presented her as a pledge of her mutual friendship, and to give notice, that she was coming into *England* to desire her assistance against her rebel subjects. Queen *Elizabeth* received him in a very gracious manner, and return'd all imaginable assurances of love and regard. But before he came back, the Queen had put to Sea, with the Lords *Herris* and *Fleming*, and a few others, and landed safe at *Wirkington* in *Cumberland*, on the 17th of *May*; from whence she wrote a letter the same day to Queen *Elizabeth*, with her own hand, to this effect:

“ You are not ignorant, my very good
 “ sister, how some of my subjects, whom
 “ I have rais'd to the highest point of ho-
 “ nour, have conspir'd to imprison me and
 “ my husband, and how I also, at your in-
 “ tercession, received them again to favour,
 “ after they were by force of arms driven
 “ out of my kingdom. Yet these men
 “ broke into my chamber, cruelly mur-
 “ ther'd my servant before my face, when
 “ I was great with child, and shut me up
 “ in

“ in custody. And when I had pardon’d
“ them the second time, they then pre-
“ tended a new crime against me, which
“ they plotted themselves, and sign’d with
“ their own hands, and were now ready,
“ with an army in the field, to charge me.
“ But I, trusting in my own innocency,
“ and to spare the spilling of blood, put
“ my self into their hands. They present-
“ ly thrust me into prison, removed all my
“ servants from me, saving one or two
“ waiting-maids, my cook, and my phy-
“ sician, drove me by threats and terror of
“ death to resign my kingdom, and in an
“ assembly of the States, convoked by
“ their own authority, refused to hear me
“ or my advocates, despoiled me of my
“ goods, and barred me from all confe-
“ rence with any man. Afterwards, by
“ God’s guidance, I escap’d out of prison,
“ and being guarded with the flower of the
“ nobility, which gladly flock’d unto me
“ from all parts, I put my enemies in mind
“ of their duty and allegiance; I offer’d
“ them pardon, and propounded that both
“ parties might be heard in an assembly of
“ the Estates, lest the commonwealth should
“ be

“ be rent any longer with civil combustions. Two messengers I sent about this matter; both of them they cast into prison: those which aided me they proclaim’d traitors, and commanded them by publick proclamation, that they should presently leave me. I pray’d them that the Lord *Boyd* might upon publick faith and assurance treat with them about a composition; but this also they flatly denied. Yet I hop’d, that by your mediation they might have been recall’d to their duty. But when I saw, that I must have undergone either death or a new imprisonment, I resolv’d to go to *Dunbarton*. They in the way oppos’d themselves against me, slew and put my men to flight in battle. I betook my self to the Lord *Herris*, with whom I am come into your kingdom, trusting assuredly in your singular kindness, that you will assist me, and excite others by your example. I do therefore earnestly intreat you, that I may be forthwith conducted unto you, who am now in very great straits, as I shall more fully inform you, when it shall please you to take pity on
“ me.

“ me. God grant unto you a long and safe
 “ life, and to me patience and consolation,
 “ which I hope and pray that I may obtain
 “ of him by your means.

Queen *Elizabeth* ^k answer'd in a very friendly manner, and sent Sir *Tho. Knolles* to comfort her; but notwithstanding denied her access to her person, because she stood charg'd with grievous crimes; and gave orders to *Louder* the Deputy-Warden to convey her to *Carlisle*, under pretence of greater security against any private attempt of her enemies. This direction was very displeasing to the Queen of *Scots*, who now became sensible of her error in seeking relief from *England*; but seeming to take all in good part, she sent the Lord *Herris* to Queen *Elizabeth*, desiring, “ that she might
 “ be allow'd both to lay open the injuries
 “ done unto her, and purge herself of the
 “ crimes objected against her;” and alledg'd,
 “ that it was most reasonable, that Queen
 “ *Elizabeth*, being her very near kinswo-

^k Camden's *Hist. of Queen Elizabeth*, lib. I. p. 110.
 Spotiswood's *Hist. of the Church of Scotland*, &c.
 lib. V. p. 217.

“ man should hear her, being an Exile, in
 “ her own presence, and restore her to her
 “ kingdom against those, whom she, when
 “ they liv’d in exile for their offences against
 “ her, had fully restor’d at Queen *Eliza-*
 “ *beth’s* intercession, and indeed to her own
 “ undoing, unless prevented in time. She
 “ besought her therefore that she might ei-
 “ ther be admitted to speak with her and
 “ be reliev’d ; or else suffer’d with good leave
 “ to depart out of *England* forthwith to
 “ crave aid elsewhere, and might no longer
 “ be detain’d as a prisoner in *Carlisle-castle* ;
 “ forasmuch as she came of her own accord
 “ into *England*, relying upon her love so
 “ often honourably promis’d by letters, mes-
 “ sages, and tokens.

1 Queen *Elizabeth* mov’d with these Let-
 ters and the pressing instances of the Lord
Herris seem’d inclin’d to favour the afflicted
 Queen ; and she rather, as she freely offer’d
 to debate her cause before her, and to prove
 her adversaries guilty of the crimes which
 they charg’d upon her. But the matter be-
 ing brought before the Council, they judg’d

1 Camden’s *Hist. of Queen Elizabeth*, lib. I. p. 110, &
 seq.

it expedient, she should be detain'd as a prisoner taken in war, 'till such time as she had given satisfaction for having formerly usurp'd the Arms and Title of *England*, and answer'd for the death of the Lord *Darnley* her husband, who was a native of the realm. So ^m that all the advantage my Lord *Herris* could obtain, was to prevail upon her Majesty to send a Messenger to the Regent, requiring him to stop all proceedings against the subjects of *Scotland*, who had taken arms in their Queen's defence, 'till matters were brought to a publick hearing.

The Earl of *Murray* however shew'd no regard to these letters, summon'd a Parliament in the King's name, prosecuted the Queen's adherents with rigour, and seiz'd upon the lands and houses of those whom he had proscribed. ⁿ Queen *Elizabeth* was highly dissatisfied with this proceeding, and immediately gave him to understand by one

^m Crawford's *Memoirs of the Affairs of Scotland*, p. 85. Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 217.

ⁿ Camden's *Hist. of Queen Elizabeth*, lib. I. p. 111, & seq. Crawford's *Memoirs of Scotland*, p. 86. Spotiswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 218.

Middlemore, in very severe terms, “ That
 “ she could not endure an example so dan-
 “ gerous to Kings should be given, where-
 “ by the authority of the sacred Royal Ma-
 “ jesty should be had in contempt amongst
 “ subjects, and trodden under foot at the
 “ lust of factious people. But howsoever
 “ they forgot the duty of subjects and their
 “ fidelity towards their Queen, yet she could
 “ not be unmindful of any office either of
 “ kindness or piety towards the Queen her
 “ sister and neighbour. He should come
 “ himself, or send sufficient Deputies to an-
 “ swer to the complaints of the Queen of
 “ *Scots* against him and his confederates,
 “ and give just reasons for the deposing her :
 “ otherwise she would forthwith set her at
 “ liberty, and restore her with all the pow-
 “ er she could make to her kingdom.”

The Earl of *Murray* had so great a depend-
 ence upon the Queen of *England*, that he
 found it his interest to comply with her de-
 mand, tho’ contrary to his own inclination,
 and the judgment of his friends. And thus
 the conditions being accepted, the City of
York was appointed for the Conference.

A Commission was hereupon immediately pass'd under the Great Seal, and drawn up in the King's name, " Impowering the Earles
 " of *Murray* and *Morton*, the Bishop of *Ork-*
 " *ney*, the Abbat of *Dunfermling* and the
 " Lord *Lindsay*, or any three of them to
 " convene with the Deputies of the Queen
 " of *England* at *York*, or any other place or
 " places they should think expedient, there
 " to make ample and plain declarations to
 " them, for informing his good sister of the
 " true causes, whereupon divers of the No-
 " bility and good subjects, during the time
 " that the Queen his Mother was yet pos-
 " sessor of the Crown, took occasion to
 " have recourse to arms, to take, detain, and
 " sequestrate her Person for a time, with all
 " causes, actions, circumstances and other
 " their proceedings whatsoever, towards her
 " or any other subjects of the Realm, since
 " that time unto the day and date of the said
 " Commission, or that should fall out untill
 " the return of the said Commissioners ;
 " whereby the justice of their cause and ho-

^P Spotiswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 218. Crawford's *Memoirs of the Affairs of Scotland*, p. 88, & seq.

“ honourable dealing might be manifested to
“ the World ; as likewise to commune,
“ treat, determine, and conclude with his
“ said sister, or her Commissioners having
“ sufficient authority, upon all differences,
“ causes, or matters depending betwixt the
“ subjects of either Realm, or for farther
“ confirmation or augmentation of any treaty
“ of Peace, heretofore made and concluded
“ betwixt the Realms, or for contracting or
“ perfecting any other treaty or confeder-
“ tion, as well for maintenance of the true
“ religion, publickly profess’d by the inha-
“ bitants of both Realms, as for resisting any
“ foreign or intestine Power, that might be
“ stirred up within the same to disturb the
“ present quietness, that it hath pleas’d Al-
“ mighty God to grant unto both the king-
“ doms, in the unity of the said religion ;
“ and for increase of amity, peace and con-
“ cord betwixt him and his said sister, their
“ realms, dominions, people and subjects ;
“ and generally to do and conclude all things,
“ which by them, or any three of them
“ should seem convenient and necessary for
“ the premises or any part thereof, promising

M

“ to

“ to hold firm and stable, &c. Dated at
 “ *Edinburgh* the 18th of *September*, 1568.

^a Besides the persons mention'd in the Commission Mr. *James Mackgill*, Mr. *Henry Balnaves*, and Mr. *George Buchanan*, attended the Regent as Assistants. And with these were the Secretary *Lidington*, whom he was afraid to leave in *Scotland* behind him, the Bishop of *Murray*, Mr. *Nicholas Elphinstone*, the Lairds of *Pittarrow* and *Cleesh*, Mr. *John Wood* his Secretary, and several other Gentlemen ; some of whom wish'd well to the Queen, and were desirous if possible to divert the Regent from the accusation he design'd. They came to *York* on the fifth of *October*, and were met the same day by *Thomas Howard* Duke of *Norfolk*, *Thomas Ratcliffe*, Earl of *Sussex* and President of the North, and Sir *Ralph Sadler*, the Queen of *England's* Commissioners, with power “ to hear and determine

^a *Melvil's Memoires*, &c. p. 93. *Crawfurd's Memoirs*, &c. p. 90. *Spotiswood's Hist. of the Church of Scotland*, lib. V. p. 218. *Camden's Hist. of Queen Elizabeth*, lib. I. p. 112.

“ (such were the words of their commission)
 “ all questions, controversies, debates and
 “ contentions betwixt her sister the Queen
 “ of *Scots*, and the subjects adhering to her
 “ interest, and the Earl of *Murray* and o-
 “ thers refusing to acknowledge her autho-
 “ rity, and adhering to the Prince her Son ; ”
 as also “ to confirm the Peace already con-
 “ tracted, or establish a new League to take
 “ place for the future. ” And about two
 days after arriv'd on the part of the Queen
 of *Scotland* *John Lesley* Bishop of *Rosse*,
William Lord *Levingston*, *Robert* Lord
Boyd, the Lord *Herris*, the Abbat of *Kil-*
winning, and the Lairds of *Lochinvar* and
Skirling. And with these came Sir *Robert*
Melvil, and several others, who were desi-
 rous to serve her Majesty in the best manner
 they were able.

“ Upon the first day of meeting the sever-
 al Commissions were exhibited, and a so-
 lemn oath requir'd from both parties to pro-
 ceed in the treaty with uprightness and inte-

* Camden's *Hist. of Queen Elizabeth*, lib. I. p. 113.
 Spotiswood's *Hist. of the Church of Scotland* &c. lib.
 V. p. 219, & seq. Crawford's *Memoirs*, &c. p. 91, &
 seq.

grity, and without any regard to affection or interest. But the Deputies for the Queen of *Scotland*, before they would take the oath, enter'd a Protestation, " That though
 " the Queen of *Scots* was pleas'd to have
 " the differences betwixt her and her rebel-
 " lious subjects consider'd and redress'd by
 " her dearest Sister and Cousin the Queen
 " of *England*, or by the Commissioners au-
 " thoriz'd by her, yet she acknowledg'd
 " not herself subject to any Judge on earth,
 " she being a free Princess, and holding her
 " Imperial Crown of God alone." The
English Commissioners in like manner pro-
 tested, " That they did not in any sort ad-
 " mit of this Protestation to the prejudice
 " of that right, which the Kings of *England*
 " had long claim'd and enjoy'd, as superiour
 " Lords of the kingdom of *Scotland*." These
 protestations being mutually made, the oath
 was administred and taken in form, and then
 the Assembly broke up.

The 'next day the Queen of *Scots* Com-
 missioners deliver'd a Declaration in writing
 to this effect.

Ibid.

" THAT

“ THAT *James* Earl of *Mortone*, *John*
 “ Earl of *Glencairne*, the Lords *Hume*, *Lind-*
 “ *say*, *Rathuen*, *Sempill*, *Cathcart*, and *O-*
 “ *chiltree*, and others their Assistants had
 “ levied an army in the Queen’s name a-
 “ gainst the Queen, taking her most noble
 “ Person, used her in vile manner, and thrust
 “ her into prison in *Lochlevin*, and forcibly
 “ broken into her Mint-house, taking a-
 “ way the Printing-irons, with all the sil-
 “ ver and gold, coin’d and uncoin’d, which
 “ was in the house for the time, and going
 “ to the Castle of *Stirling*, had made a fa-
 “ shion to crown her Son the Prince, being
 “ then but thirteen months old : That *James*
 “ Earl of *Murray* taking upon him the name
 “ of Regent had usurp’d the royal authority,
 “ and possess’d himself of the whole Forts,
 “ Castles, Munition, Jewels, and Revenues
 “ of the kingdom : And when it had pleas’d
 “ God to relieve her out of that prison,
 “ (wherein she was so straitly detain’d for
 “ the space of eleven months, and none of
 “ her friends and true subjects once permit-
 “ ted to see her or speak with her,) and that
 “ she had publicly declar’d by a solemn
 M 3 “ oath,

“ oath, in presence of divers of the Nobili-
 “ lity of *Hamilton*, that whatsoever was
 “ done by her in prison was extorted by
 “ force, threats, and fear of death, she out
 “ of that affection, which she carried to her
 “ realm and subjects, did appoint the Earls
 “ of *Argyle*, *Eglington*, *Cassilis*, and *Roths*,
 “ to agree and make a pacification with the
 “ said Regent and his partakers ; but they
 “ were so far from admitting any peaceable
 “ Treaty, that they did invade her in her
 “ passing to *Dunbarton* with the men of
 “ war whom she had hir’d with her own
 “ money, kill’d divers of her faithful sub-
 “ jects, led others away Prisoners, and ‘ba-
 “ nish’d some of good note, for no other
 “ cause but for serving faithfully their law-
 “ ful Princess ; and so after a great many
 “ injuries had forced her to fly into *Eng-
 “ land*, to request the help of Queen *Eliza-
 “ beth*, her dearest sister, and in blood the
 “ nearest Cousin she had in the World, for
 “ restoring her to her former estate, and
 “ compelling her rebellious subjects to ac-

* *The Earl of Roths was banish’d for the space of
 three years. See Spotiswood’s Hist. of the Church of
 Scotland, lib. V. p. 218.*

“ knowledge

“ knowledge their due obedience unto her
 “ Majesty, which they in her Highnesses
 “ name did most instantly intreat.

Not long after the Commissioners for the
 Infant-King presented their Answer in the
 terms following.

“ THAT King *Henry*, Father to their So-
 “ vereign Lord the King now reigning, be-
 “ ing horribly murder'd in his bed, *James*
 “ *Hepburne*, sometime Earl of *Bothwell*,
 “ who was known to be the chief Author
 “ thereof, enter'd into such credit with the
 “ Queen, then their Sovereign, that within
 “ two months after the murder committed,
 “ he openly attempted a rape of her person,
 “ and carried her to *Dunbar* castle, where
 “ he did keep her as captive a certain space,
 “ causing a divorce to be led betwixt him
 “ and his lawful wife, and upon the con-
 “ clusion thereof, did suddenly accomplish a
 “ pretended marriage with the Queen ; which
 “ insolent proceedings, together with the
 “ shameful report, which pass'd in all na-
 “ tions of the King's murder, as if the whoie
 “ Nobility had been alike culpable thereof,

“ so mov’d the hearts of a good number of
“ them, that they thought nothing could be
“ perform’d more honourable to themselves
“ in the sight of all the World, than by pu-
“ nishing the said Earl, who had commit-
“ ted the murder, to free themselves of the
“ vile report spread every where, to set the
“ Queen at liberty from the bondage of that
“ Traytor, who had so presumptuously en-
“ terpris’d the rape and marriage of her,
“ whose lawful husband he could not be ;
“ and to preserve the innocent person of
“ the King from the hands of him who had
“ murder’d his father : for which purpose
“ they taking arms, when the said Earl came
“ against them with forces, leading in his
“ company the Queen to defend his wicked-
“ ness, they offer’d for sparing the blood
“ of innocent men, to decide the quarrel
“ in single combat, whereof himself by Car-
“ tel and Proclamation had sundry times
“ made offer. But after many shifts he in
“ the end directly refus’d the same, and the
“ Queen preferring his impunity to her own
“ honour, that he might have leisure to es-
“ cape, came willingly to the Noblemen
“ that were in arms, and conferr’d with
“ them

“ them a certain space ; after which they
 “ convey’d her to *Edinburgh*, informing
 “ her of the true causes which mov’d them
 “ to that form of dealing, and did humbly
 “ intreat her Majesty to suffer the said Earl
 “ and others, the King her husband’s mur-
 “ therers, to be punish’d according to the
 “ Laws, and the pretended marriage, where-
 “ in she was rashly enter’d, to be dissolv’d, as
 “ well for her own honour, as for the safety
 “ of her son, and quietness of the realm
 “ and subjects : But having receiv’d no o-
 “ ther answer but rigorous threats against
 “ the Noblemen, and she avouching to be
 “ reveng’d upon all those that had shewn
 “ themselves in that cause, they were driven
 “ by necessity to sequestrate her person, for
 “ a season, from the company of *Bothwell*,
 “ and the keeping of any intelligence with
 “ him, untill punishment might be taken
 “ of him, as murderer of the King her hus-
 “ band. And the mean time she finding
 “ herself wearied with the troubles of go-
 “ vernment, and perceiving by things that
 “ had pass’d before that time, betwixt her
 “ and the people, that neither could she well
 “ allow

“ allow of their doings, nor they like of her
“ forms, upon these and other considerati-
“ ons, she voluntarily resign’d her kingdom,
“ and transferred the same unto her Son,
“ appointing the Earl of *Murray*, (who was
“ at that time absent forth of the Realm)
“ to be Regent during her Son’s minority ;
“ and in case of the said Earl’s decease, or
“ not acceptance of the said office, divers
“ other Noblemen, whose Names are ex-
“ pressed in the Commissions sign’d by her-
“ self, and seal’d with the seal of the king-
“ dom. The King hereupon being duly,
“ rightly, and orderly crown’d and anointed,
“ and the Earl of *Murray* after his return
“ lawfully placed and admitted Regent, all
“ these things were ratified and confirmed
“ by the three Estates of Parliament, most
“ of those who had withdrawn themselves
“ from his authority being present, and giv-
“ ing their consent to the same : Neverthe-
“ less, when as matters were thus establish-
“ ed, and the King’s authority universally
“ obeyed without contradiction, certain per-
“ sons envying the publick quietness had,
“ by their subtle practices, first brought the
“ Queen

“ Queen out of *Lochlevin*, and afterwards
 “ by open force, v against their promis’d fi-
 “ delity, gone about to subvert the govern-
 “ ment receiv’d ; wherein as they were pro-
 “ ceeding, it pleas’d God to disappoint their
 “ enterprize, and give unto the King and
 “ those who stood for his authority a nota-
 “ ble victory on the thirteenth day of *May*
 “ last. Wherefore their desire was, that the
 “ King and the Regent might peaceably
 “ rule and govern the subjects, according to
 “ the authority they had receiv’d of God,
 “ and that the same might be conserv’d and
 “ establish’d against the factions of turbulent
 “ subjects.

The Commissioners of the Queen of *Scots* repeating their former Protestation, gave in the following Reply:

“ THAT the pretence of taking arms a-
 “ gainst the Queen, because *Bothwell* was
 “ in such favour with her, could not war-
 “ rant their rebellion, since it never was

v *The Lord Boyd only abandon’d the Earl of Murray after the Queen’s escape. Crawford’s Memoirs, &c. p. 96.*

“ made

“ made known to her Majesty, that he was
“ the Murderer. But to the contrary, *Both-*
“ *well* being indicted and orderly summon’d
“ to undergo the tryal of Law, he was by
“ the judgment of his Peers absolv’d, and
“ the same absolution ratify’d by authority
“ of Parliament, where the Principals, that
“ now accuse him and had withdrawn them-
“ selves from the Queen’s obedience, were
“ present, and not only consented to his
“ Purgation, but solicited her to take him
“ to her Husband, as the most worthy to
“ bear rule of any other in all the Realm,
“ giving their bonds to defend him against
“ all that should pursue him for the said
“ crime, as their subscriptions would testify.
“ And so neither before the marriage with
“ *Bothwell*, nor after, did they or any of
“ them (which had been the duty of true
“ subjects) so much as in words utter their
“ dislike of it, or advertise her Majesty of
“ the suspicions that were taken of him,
“ until they had drawn the Keeper of the
“ Castle of *Edinburgh*, and the Provost of
“ that city, to their faction. Then secretly
“ putting themselves in arms they suddenly
“ under silence of night environ’d the Castle

“ of

“ of *Borthwick*, where her Majesty remain-
“ ed, and after she had escap'd to *Dunbar*,
“ levied an army under pretence to defend
“ the Queen, wherewith invading her per-
“ son in the way betwixt *Dunbar* and *Edin-*
“ *burgh*, they did take her Majesty captive.

And whereas they alledge, *That her Ma-*
gesty preferring the impunity of Bothwell to
her own honour, made him to be convey'd
safely away ; “ the same was most untrue,
“ for they themselves sent the Laird of
“ *Grange* to her Majesty, desiring her to
“ cause *Bothwell* to pass out of the field,
“ as suspected of the King's murder, 'till the
“ same might be tried, and that she would
“ go with them, and follow the counsel of
“ the Nobility ; which if she would do,
“ they would honour, serve, and obey her
“ as their Princess and Sovereign : Where-
“ unto her Majesty, for the love she bare
“ to her subjects, and to avoid the effusion
“ of Christian blood, did willingly assent.
“ In verification whereof, the said Laird of
“ *Grange* took the Earl of *Bothwell* at the
“ same time by the hand, and willed him
“ to depart, giving his word, that no man
“ should pursue him. So that nothing is
“ more

“ more clear, than that he pass’d away by
 “ their own consents ; for if they had been
 “ inclin’d against him only, would they not
 “ have pursued him so long as he was in the
 “ country ? For he remain’d a great space
 “ after that time in his own house, and might
 “ more easily have been taken there than on
 “ the seas, where they in a colour’d manner
 “ did pursue him : from whence all men of
 “ sound judgment might perceive, that they
 “ cared not what became of him, if so they
 “ might advance their own ambitious pur-
 “ poses and designs.

As to that charge against the Queen of
having us’d them with threats and menaces,
 they said, “ that if ’twas true, it could not
 “ be thought strange, considering their un-
 “ dutiful behaviour, and the rude and vile
 “ usage her Majesty suffer’d by them. For
 “ when the Earl of *Mortone*, at her Highnesses
 “ first coming to them, had reverently, as
 “ it became him, said, *Madam, Here is the*
 “ *place where your Grace should be, and we*
 “ *will honour and serve you as truly, as ever*
 “ *any of the Nobility of the Realm did any*
 “ *of your Progenitors in former times :* Ra-
 “ tifying thereby the promise made by the
 “ Laird

“ Laird of *Grange* in their names to her Ma-
 “ jesty, and that she trusting their speeches
 “ had gone with him to *Edinburgh*, they
 “ first lodging her in a Citizen’s house, con-
 “ trary to their promises, did most rudely
 “ entreat her; whereupon she sent *Lething-*
 “ *tone* her Secretary, and made offer unto
 “ them, that for any thing wherewith they
 “ or any of the subjects were offended, she
 “ was content the same should be reform’d
 “ by the Nobility and Estates of the Realm,
 “ her Highness being present and permitted
 “ to answer for herself; yet would they
 “ not hearken once to the motion, but in
 “ the night secretly and against her will, car-
 “ ried her to *Lochleven*, and put her in
 “ prison.

As to that Clause of her Majesty’s being wearied with the toils of government, and that she thereupon did voluntarily resign or abdicate the kingdom in favour of the Prince her Son, and appoint the Earl of Murray his Regent during his minority, ’twas replied,
 “ That the fallshood thereof did many ways
 “ appear. For first, her Majesty is neither
 “ decayed by age, nor weakned by sickness,
 “ but (praised be God) both in mind and body
 “ able

“ able to discharge the most weighty affairs.
 “ As also the truth is, that the Earl of *Athole*,
 “ the Lairds of *Tillibardine* and *Lething-*
 “ *tone* (who were of their Council) sent
 “ *Robert Melvil* to her Majesty, advising
 “ her to subscribe the Letter of Resignation,
 “ and what else should be presented unto
 “ her to save her own life, and avoid the
 “ death which was assuredly prepared for
 “ her, if she should happen to refuse the
 “ same ; and at the same time the same Gen-
 “ tleman did bring to her Majesty a Letter
 “ written by Sir *Nicholas Throgmorton*, Am-
 “ bassador of *England*, requesting her High-
 “ ness for the reasons aforesaid, to set her
 “ hand to whatsoever they should desire of
 “ her. To whom her Majesty answer’d,
 “ That she should follow his counsell, pray-
 “ ing him to declare to her dearest Sister the
 “ Queen of *England*, how she was us’d by
 “ her subjects, and that the resignation of the
 “ Crown made by her was extorted by fear,
 “ which her Highness doubted not but the
 “ said Sir *Nicholas* perform’d.

“ Farther, it is notorious, That the Lord
 “ *Lindsay*, at the presenting of the Letters
 “ of Resignation unto her Majesty, did me-
 “ nace

“ nace to put her in a cloſer priſon, if
 “ ſhe refus’d to put her hand to the ſame;
 “ adding, that in that caſe worſe would
 “ ſhortly follow; and that her Highneſs
 “ never lookt what was in the writings
 “ preſented, but ſign’d the ſame with many
 “ tears, proteſting, that if ever ſhe ſhould
 “ recover her liberty, ſhe would diſallow
 “ that which he compell’d her at that time
 “ to do. And to teſtify that the ſaid Re-
 “ ſignation was made againſt her will, the
 “ Laird of *Lochlevin*, who was then her
 “ Keeper, refus’d to ſubſcribe it as a wit-
 “ neſs, and did obtain a certificate under
 “ her Majeſties own hand, declaring, that
 “ he refus’d to be preſent at the ſaid re-
 “ ſignation.

“ Neither can that renunciation by any
 “ reaſon be thought good, conſidering that
 “ no portion of revenue was reſerv’d for
 “ her to live upon; neither was her liber-
 “ ty granted, or any ſecurity given her of
 “ her life. All which weighed in the bal-
 “ lance of reaſon, will, to men of indiffe-
 “ rent judgment, make manifeſt, that the
 “ alledged diſmiſſion, ſo unlawfully pro-
 “ cur’d, can never prejudice her Majeſty in

“ her royal Estate; especially considering,
“ that at her first escape out of prison, she
“ did revoke the same, and in presence of
“ a great part of the nobility at *Hamilton*,
“ by a solemn oath, declar’d, that what
“ she had done was by compulsion, and
“ upon just fear of her life.

Concerning the *Coronation of the young Prince*, ’twas urg’d, “ That the same was
“ most unorderedly done; because there be-
“ ing in the Realm above an hundred Earls,
“ Bishops, and Lords, having voice in Par-
“ liament, (of whom the greatest part at
“ least ought to have consented thereto, it
“ being an action of such consequence,)
“ four Earls and six Lords (the same that
“ were present at her apprehension) with
“ one Bishop, and two or three Abbots
“ and Priors, were only assisting. And of
“ the same number some did put in a pro-
“ testation, that nothing then done should
“ prejudice the Queen or her Successor, by
“ reason she was at that time a captive.
“ Nor can any man think, if the dismissal
“ had been willingly given by her Highness,
“ she would ever have nominated the Earl
“ of *Murray* Regent, there being many o-
“ thers

“thers more lawful, and who have better
 “right thereto than he; of whom some have
 “been Governours of the Realm in for-
 “mer times, and during her Majesty’s mi-
 “nority had worthily exercis’d that place.

To the *ratification in Parliament* it was
 replied, “That the Principals of the No-
 “bility disaffented, and put in their pro-
 “testations, both to the Lords of the Ar-
 “ticles, and in the open Parliament, against
 “their proceedings, affirming, that they
 “would never agree to any thing that
 “might hurt her Majesty’s Person, her Crown
 “and royal Estate, farther than her High-
 “ness her self being at liberty would ap-
 “prove.

Lastly, as to the pretence of *being uni-
 versally obey’d, and of all things being just-
 ly administer’d*, ’twas said, “Both these
 “were equally untrue. For a great part of
 “the Nobility never acknowledg’d another
 “authority than that of the Queen’s, keep-
 “ing and holding their courts in her Ma-
 “jesty’s name. And for the administration
 “of affairs, it is apparent that wickedness
 “did never reign more, and with less con-
 “troulment in the Realm; murder, blood-

“ shed, with theft and robbery, every where
 “ abounding, policy destroy’d, churches
 “ thrown down, honourable families ruin-
 “ ated, and true men bereft of their goods,
 “ for satisfying the soldiers hired by them
 “ to maintain the Regent’s usurp’d autho-
 “ rity, the like whereof hath not been
 “ seen nor heard for many ages before. In
 “ regard whereof, they, in behalf of the
 “ Queen of *Scotland* their Mistress, did
 “ earnestly request the support and assistance
 “ of the Queen of *England*, her Cousin,
 “ for restoring her to her Crown, and for
 “ suppressing the rebels, that had attempted
 “ against her.

To these 7 reasons the Queen of *Scots*
 Deputies thought proper to annex an attested
 copy of the protestation formerly made by
 the Earls of *Huntley* and *Argyle*, and pre-
 sented by them in writing to Queen *Eliza-
 beth*, soon after the King’s murder.

“ Forasmuch as *Murray* and others, to
 “ cloak their rebellion against the Queen,

” Crawford’s Memoirs, &c. p. 103.

“ whose authority they arrogate to them-
 “ selves, do openly calumniate her as guilty
 “ of the murder of her husband ; We do
 “ publickly protest and witness these things
 “ following. In the month of *December*,
 “ 1566, when the Queen staid at *Crag-*
 “ *millar*, *Murray* and *Lethingtone* acknow-
 “ ledg’d before us, that *Mortone*, *Lindsay*,
 “ and *Ruthuen* slew *David Rizio* to no
 “ other intent, than to save *Murray*, who
 “ was at that time to be proscrib’d. There-
 “ fore, that they might not seem unthank-
 “ ful, they much desired that *Mortone* and
 “ the rest, who liv’d in exile, for the mur-
 “ der of *David*, might be brought home
 “ again. But this they said could not be
 “ effected, unless the Queen might be di-
 “ vorced from her husband, which they
 “ promis’d to bring to pass, so as we would
 “ give our consent. Afterwards *Murray*
 “ promis’d to me, *Huntly*, that my inhe-
 “ ritage should be restor’d unto me, and
 “ that I should be in eternal favour with
 “ the exiles, if I would favour the divorce.
 “ Then went we to *Bothwell*, that he might
 “ also consent. Lastly, we came unto the
 “ Queen, and *Lethingtone*, in name of us

“ all, earnestly entreated her, that *Mor-*
“ *tone*, *Lindsay*, and *Ruthuen* might have
“ their banishment remitted. The King’s
“ errors and offences against the Queen and
“ the Realm, he aggravated with much
“ sharpness of words, and shewed that it
“ mainly concerned the Queen and State,
“ that there should forthwith be a divorce;
“ forasmuch as the King and Queen could
“ not live together in *Scotland* with secu-
“ rity. She answer’d, that she would ra-
“ ther withdraw her self for a time into
“ *France*, until her husband did acknow-
“ ledge the errors of his youth; for she
“ would not that any thing should be done,
“ which might be prejudicial to her Son,
“ or dishonourable to her self. Hereto
“ *Lethingtone* replied, We which are of
“ your Council will look to that. But I
“ command you, said she, that you do
“ nothing which may blemish my honour,
“ or burden my conscience; Let the mat-
“ ter remain as it is, ’till God remedy it
“ from above; That which you think will
“ be for my good, may perhaps turn to
“ my hurt. To whom *Lethingtone* said,
“ Leave the matter to us, and you shall
“ see

“ see nothing shall be done but what is
 “ just and approveable by authority of Par-
 “ liament. Hereupon, seeing the King was
 “ murder’d by wicked hands within few
 “ days after, We out of the inward testi-
 “ mony of our consciences, do hold it
 “ most certain, that *Murray* and *Lething-*
 “ *tone* were the authors, contrivers, and
 “ persuaders of the regicide, whosoever
 “ were the actors of the same.

The * *English* Commissioners, having consider’d the writings produc’d on both sides, declar’d themselves dissatisfied with the Earl of *Murray*’s defence, and desir’d he would urge some better and more substantial reasons for the severity us’d by the *Scots* against their Sovereign. But the Earl of *Murray* declin’d any farther to accuse the Queen his Sister, unless the Queen of *England* would promise to protect the Infant-King, and abandon the interest of his Mother. The Deputies made answer, that to make such a promise in her Ma-

* Camden’s *Hist. of Queen Elizabeth*, lib. I. p. 116.
 Spotswood’s *Hist. of the Church of Scotland*, &c.
 lib. V. p. 224.

jeſty's name, would be to exceed the limits of their commiſſion. They gave notice however to the Court of all that had paſſ'd, and deſir'd her Maſteſty's direction, in what manner they ſhould proceed for the future. Hereupon Queen *Elizabeth* recall'd her Commiſſioners, and declar'd it her pleaſure that the Treaty ſhould be remov'd to *London*, where all things might ſooner be brought to a good iſſue, and deſir'd that three or four of the Deputies on both ſides might repair thither, for her better information.

Sir *James Melvil's* reports, that the Duke of *Norfolk* had ſecretly favour'd the Queen of *Scots*, from the beginning of the conference, and ſought all poſſible means to prevent the accusation ; that he privately perſuaded the Earl of *Murray* to deſiſt from his deſign, upon aſſurance that Queen *Elizabeth* had no inclination to ſerve the *Scots* in the manner they expected ; and that a ſolemn agreement was form'd between 'em, by which *Murray* was to for-

^y Melvil's Mémoires, &c. p. 94. ſeq. See alſo the Trial of Thomas Duke of Norfolk, &c. p. 74. ſeq.

bear to accuse the Queen, and the Duke stood engag'd to reinstate him in her Majesty's favour, and procure a confirmation of the Regency.

When the ² Commissioners were met at *London*, the Queen of *England* appointed five others to assist in the Conference, besides the Duke of *Norfolk*, the Earl of *Sussex*, and Sir *Ralph Sadler*, who had been her Deputies at *York*. These were the Earls of *Arundel* and *Leicester*, Sir *Nicholas Bacon* Lord Keeper, the Lord Admiral *Clinton*, and Sir *William Cecyl*, Secretary of State. They press'd the Regent to proceed in his accusation; but he return'd them the same answer as before, and insisted upon Queen *Elizabeth's* hand and seal for taking the Infant-King into her Majesty's protection. However, after some pretended reluctance, the accusation was at last deliver'd. 'Twas drawn up by Mr. *George Buchanan*, and annex'd to his Book entituled, *The Detection*, which was presented at the same time. It contain'd a most bitter invective, founded upon plausible pretences, and conjectural

² *Crawfurd's Memoirs*, &c. p. 112. seq. *Camden's Hist. of Queen Elizabeth*, lib. 1. p. 116. seq.

evidence, and supported with all the advantages of wit and eloquence. At the close were added the copies of certain letters and verses, said to have been wrote to the Earl of *Bothwell* by the Queen's own hand; tho' 'twas ^a notoriously known that the Queen's hand had frequently been counterfeited by the Earl of *Murray*, and ^b these letters were afterwards confess'd to have been written at his direction by the Lady, whom he employ'd to draw 'em up.

Queen *Elizabeth*^c gave little credit to the accusation, but was pleas'd notwithstanding with the Queen of *Scots* dishonour. For by this means she at once gratify'd her passion of emulation and envy, and was furnish'd with a plausible pretext to satisfy the demands of foreign Embassadors, who insisted upon a reason for detaining her in prison. But she inwardly detested the Earl of *Murray* and his adherents, and from thenceforward would shew 'em no favour.

^a Camden's *Hist. of Queen Elizabeth*, lib. I. p. 116.

^b L'Innocence de la Royne d'Escoffe, p. 91, 94.

^c Melvil's *Memoires*, &c. p. 97. Camden's *Hist. of Queen Elizabeth*, lib. I. p. 117. Crawford's *Memoirs of the Affairs of Scotland*, &c. p. 114.

The ^dQueen of *Scots* Deputies offer'd to vindicate the honour of their Mistress, and make good the charge of the King's murder upon the Earl of *Murray* and his confederates. And to this effect they desir'd, that the Queen her self might be admitted to appear in person, and in presence of the whole Nobility of *England*, and the Embassador's of foreign Princes then resident in *London*, be allow'd to defend her innocence against the forg'd calumnies and false imputations, which had unjustly been charg'd upon her; that if this request, so reasonable in it self, should be denied her, she plainly saw that no good meaning could possibly be designed her by this Treaty, and she must live debarr'd of all future hopes of agreement by means of the conference; and therefore they declar'd, that unless these conditions, which were offer'd by her Majesty, could be complied with, their Commission was recall'd. Queen *Elizabeth* and her Council refusing to accept of the terms propos'd, and the Commissioners perceiving

• Camden's *Hist. of Queen Elizabeth*, lib. i. p. 117.
Crawford's *Memoirs of the Affairs of Scotland*, p. 115.

the Conference was carried on with some other views than they had expected, at the exprefs command of the Queen their Sovereign, broke off the Treaty, and refus'd to confer any longer.

At this time ^ethe Duke of *Chastelherault* return'd out of *France* into *England*, and in prefence of Queen *Elizabeth* laid claim to the Regency of *Scotland* during the King's minority as due to him by hereditary descent. Upon the reply of the *Scots* Commissioners the Queen made answer, that his pretensions seem'd unsupported, and he must expect no assistance from her in so unreasonable a demand; and farther she forbad him to depart out of *England*, 'till the Earl of *Murray* should be arriv'd in *Scotland*.

In the mean ^ftime the confederacy between the Duke of *Norfolk* and the Earl of *Murray* was discover'd to Queen *Elizabeth* by the Earl of *Leicester*. And the Duke finding his purposes to be disclos'd, made no scruple to acknowledge, " that after her

^e Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 226. Camden's *History of Queen Elizabeth*, lib. I. p. 117, & seq.

^f Melvil's *Memoires*, &c. p. 98.

“ Majesty’s death, whom he would ever
 “ most faithfully serve and honour so long
 “ as she liv’d, he would adhere to the Queen
 “ of *Scotland*, as in his opinion the only
 “ true and lawful heir to the Crown of
 “ *England*.” This language was disagreeable
 to the Queen, but she judg’d it convenient
 to dissemble her dislike.

Whilst matters were in this situation Sir
Nicholas Throgmorton, who was zealously
 affected to the union of the two kingdoms,
 contriv’d a reconciliation between the Earl
 of *Murray* and the Duke of *Norfolk*. The
 Regent’s late mismanagement had exasperated
 the Duke to so great a degree, that
 he could hardly be persuaded to admit him
 into his presence. But he yielded at last to
 the importunities of Sir *N. Throgmorton* ;
 and my Lord *Murray* begging pardon for
 his former offence, and throwing the blame
 of what was done upon the artifice and cunning
 of some of his company, the Duke accepted
 of his excuse, and receiv’d him again
 into favour.

The Earl of *Murray*, upon this agreement,
 seemingly endeavour’d by all possible means

to

to regain her Majesty's esteem. To this end in a private conference with the Duke of *Norfolk* he protested, " it was his most sincere and earnest desire that all matters should be compos'd in *Scotland* in an amicable manner, and the Queen restor'd to her authority ; but it was fear'd, that if she was once more in possession of the Crown, and at full liberty to marry whom she would, by forming some powerful Alliance with *France*, or *Spain*, or the House of *Austria*, she might be inclin'd to revenge the injuries she had receiv'd from her subjects, subvert the reform'd religion, subject the kingdom to a foreign iurisdiction, and do much mischief to the realm of *England*. To prevent all these inconveniences, he wish'd she were married to the Duke, as a person of capacity and judgment, by whose means the publick tranquillity of both nations might be preserv'd, and the interests of the true Religion supported. " And farther, he offer'd his own assistance to promote the

* Camden's *Hist. of Queen Elizabeth*, lib. I. p. 127.

affair, and engaged to procure the consent of the *Scots* Nobility, and to use his endeavours with the Queen to comply with the marriage. And accordingly not long after he sent Sir *Robert Melvil* to her Majesty with most ample protestations of his duty and regard, and recommendations of the Duke of *Norfolk*.

At ^hthat time the Duke commanded all the North of *England*, and could have deliver'd the Queen, whenever he had pleas'd. And whilst he was angry with the Regent, he had given orders to the Earl of *Westmorland* to intercept him in his return into *Scotland*, and cut him off, with such others of his Company, as had shewn themselves most forward in the Queen's accusation. But upon the late reconcilement he had contradicted his former orders, and given direction to the Earl of *Westmorland* to let 'em safely pass by : But the Earl notwithstanding appear'd at the head of a considerable body, to let the *Scotsmen* see, he had them in his power.

^h Melvil's Memoires, &c. p. 99.

The Queen also, believing the Earl of *Murray's* repentance to have been sincere, wrote letters to the Duke of *Chastelherault*, who was then upon his journey into *Scotland*, and to the Earls of *Huntley* and *Argyle*, who with others of the Nobility had taken up arms in her Majesty's defence, to delay all hostilities, and suffer the Earl of *Murray* to return peaceably into the Country. But ⁱbefore he left *England*, he had taken care to inform Queen *Elizabeth* of all that had pass'd between him and the Duke of *Norfolk*, and given her his word, that whatever letters or cyphers he should after his return receive from the Duke, should be sent to her Majesty by an Express.

In the ^kmean while the Duke had communicated his design to several of the chief Nobility, and divers conferences were held with the Bishop of *Rosse*, the Queen of *Scots* Embassadour at *London*, by what means the marriage should be effected. And in the following *May* these Articles were offer'd to her Majesty in their Lordship's names by

^h Melvil's *Memoires*, &c. p. 99.

ⁱ Camden's *Hist. of Queen Elizabeth*, lib. I. p. 128.

Mr. *Candish*, who was recommended to this service by the Earl of *Leicester*.

“ That she should attempt nothing which
 “ might be prejudicial to the Queen of *Eng-*
 “ *land*, or to the children born of her, in
 “ the succession of the kingdom of *England*.

“ That she should enter into a league of
 “ offence and defence betwixt the two king-
 “ doms.

“ That she should establish the Protestant
 “ Religion in *Scotland*.

“ That she should receive those *Scots*,
 “ which were then her adversaries, into fa-
 “ vour.

“ That she should revoke her assignment
 “ of the kingdom of *England* made to the
 “ Duke of *Anjou*.

“ That she should take some Nobleman
 “ of *England* to her husband, and namely
 “ the Duke of *Norfolk*, the noblest of all
 “ the Lords of *England*.

And if she would assent to these Articles, they promis'd to restore her to her kingdom of *Scotland*, and confirm her in the succession to the Crown of *England*.

She replied, she would readily give her assent, so far as lay in her power. That as to the league she could answer nothing, 'till she had first consulted the King of *France*: She affirm'd upon her honour and conscience, she had never made any such Assignment to the Duke of *Anjou*, as was mention'd, but would however, if it should be requir'd, engage to procure his renuntiation: That whilst she was in *Scotland*, she had consented to several Acts and Statutes in Parliament for the security of the Protestant Religion, and was ready to comply with what farther should be demanded of her for the satisfaction of her Nobility and People: And as to her marriage with the Duke of *Norfolk*, she had found so many inconveniences in her former marriages, that she was minded to live a solitary life for the future; but yet if the Queen of *England's* consent were obtain'd, and the Nobility judg'd it a necessary expedient for promoting the publick peace, she would not shew herself averse to the proposal.

sal. She then sent messengers into *Scotland, France, and Spain*, to desire the judgment and advice of her friends and allies, and they all return'd with answers of approbation.

Whilst these transactions were privately carrying on between the Queen of *Scots* and the *English* Nobility, the^k Earl of *Murray* arriv'd safe in *Scotland*, and was soon after follow'd by the Duke of *Chastelherault*, the Abbat of *Kilwinning*, and the Lord *Herris*. The Duke by virtue of a Commission from the Queen publish'd a Declaration, prohibiting all the subjects of *Scotland* to acknowledge any other Sovereign, than the Queen's Majesty. And the Earl of *Murray* in return sent abroad a Proclamation in the King's name, requiring them to attend him in arms at *Glasgow* on the tenth of *March*. In the mean while the Duke address'd himself to the Assembly of the Church conven'd at *Edinburgh*, and by the mediation of the Superintendents matters were brought to an

^k Crawford's *Memoirs of the Affairs of Scotland*, p. 120, & seq. Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 228.

accommodation, and the following ¹Articles mutually sign'd.

“ IT is desir'd for the part of my Lord
“ Regent, that my Lord Duke and his Ad-
“ herents shall recognize the King and his
“ authority, and acknowledge themselves
“ to be his subjects, and promise unto him
“ service, obedience, and fidelity, in all time
“ coming, as their Sovereign.”

“ IT is requir'd on the part of the Duke's
“ Grace and his Adherents, that every No-
“ bleman be admitted to have his place in
“ Council, as their Predecessors have been
“ in all time of other Princes of this Realm.
“ And my Lord Regent bearing the King's
“ authority shall be sworn solemnly from that
“ time forward to behave himself uprightly
“ and indifferently to them, as the remanent
“ Noblemen of this Realm, in all their ho-
“ nest and just causes, without particularity
“ or remembrance of any offence, conceiv'd
“ among them during the time of their con-
“ troversies.

¹ Crawford's *Memoirs of the Affairs of Scotland*,
p. 121, & seq.

“ *Item,*

“ *Item*, That all those who shall be content in time coming to behave themselves as faithful subjects to the King, and acknowledge their obedience to him, shall be restor’d to their lands, bounds, heritages, and possessions, notwithstanding the Doom of Forfaulture led against them. Providing always, that this benefit shall not extend to them, that has been forfaulted for art and pairt of the slaughter of umquhile the King’s father.

“ *Item*, That my Lord Regent and remanent Noblemen joyned with himself shall condescend to sick heads and articles, as may redound to the Queen’s honour, advancement, and commodity, and may best serve her turn, providing that the same be not prejudicial to the King nor his Sovereignty, whereupon depends the security of all Noblemen and others, professing themselves to be his Subjects.

“ And because my Lord Regent, and others on his part, are as well content to yield to their reasonable desires forsaide, as

“ to crave the performance of his desire to-
“ wards the King’s obedience at their hands,
“ and willeth that all come together at a
“ time, because now publick leifure cannot
“ ferve to compleat these things that are
“ necessary to be done to the Queen, it is
“ thought convenient, that on the tenth day
“ of *April* next to come, shall be assembled
“ and convened together at *Edinburgh*, in
“ quiet and peaceable manner thir persons
“ following, They are to say, my Lord Re-
“ gent, my Lord Duke, the Earls of *Hunt-*
“ *ly, Argyle, Athole, Mortone, Marr, Glen-*
“ *cairn*, and my Lord *Herries*.

“ And in case of absence of any of thir
“ nine persons, be sickness or other lawfull
“ impediment, ane other Nobleman of that
“ Party shall be chosen to supply his place:
“ And there in friendly manner to treat,
“ conclude, and agree upon sick heads as
“ shall be performed to the Queen, and what
“ the saids persons shall find redound to her
“ honour (without prejudice to the King)
“ the hail Noblemen on both sides shall
“ condescend thereto. And for the security
“ of the coming of the Nobility forsaid, my
“ Lord

“ Lord Regent promises on his honour, that
 “ they shall be skaithless, and without dan-
 “ ger, in their coming, remaining, and re-
 “ turning.

“ *Item*, it is agreed, that my Lord Duke
 “ *Chattlerault*, nor his Adherents, shall not
 “ challenge, use, nor execute, no authority
 “ of Lieutenandry be any commission of the
 “ Queen, or that any impediment be made
 “ be them against the King's authority in
 “ the mean time, and ordains forces of fen-
 “ sible Men on all sides to be dissolv'd, that
 “ no injury be done to any subject be way
 “ of deed.

“ The Regent promises to perform upon
 “ his honour, so far as concerns his part ;
 “ and therefore wills the Duke's Grace, the
 “ Earl of *Cassilis*, and my Lord *Herries* to
 “ enter sufficient pledges presently, for per-
 “ formance of their parts ; to wit, for the
 “ Duke, one of my Lord Duke's Sons ; for
 “ the Earl of *Cassilis*, the said Earl's Bro-
 “ ther ; and for my Lord *Herries*, the said
 “ Lord's eldest Son.”

These Articles being sign'd on both sides, they set forward towards *Stirling* to visit the young King, where the Regent entertain'd 'em in a very magnificent manner. But the Duke's sons declining to be given in hostage for their father upon a distrust of the Regent's sincerity, the Archbishop of *St. Andrews* supplied their place, and the Lords *Cassilis* and *Herris*, continued in person 'till their securities were come to relieve them. The ^mEarls of *Argyle* and *Huntley* being then absent, and dissatisfied with what was done, refus'd to be comprehended in the Treaty.

On the day ⁿappointed the Duke of *Castelherault* and my Lord *Herris* came to *Edinburgh*, and the Commissioners being met, the Regent hastily rose up, and producing a schedule, demanded of the Duke in a disobliging tone, if he would instantly subscribe to an acknowledgment of the King's authority or no. The Duke replied, " That he and his friends had laid down
" their arms upon condition, nor could

^m Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 229.

ⁿ Crawford's *Memoirs of Scotland*, p. 125.

“ he think either himself or them under
“ any obligation to subscribe their alle-
“ giance to the King, unless the Regent
“ would according to the terms of their
“ former agreement grant whatever might
“ reasonably be demanded in behalf of the
“ distressed Queen, their Sovereign’s mother.
“ He therefore hop’d he would not proceed
“ by force and fraud, since they had religi-
“ ously observ’d every Article of the late
“ Treaty, and had given up themselves and
“ their Hostages into his hands, secure and
“ unarm’d, as relying upon his friendship
“ and honour, and the solemn assurances
“ of safety he had given ’em under his hand.”

But the Regent without any regard to the Duke’s remonstrance, or his promis’d faith, gave immediate orders for the commitment of my Lord *Herris* to close custody in *Edinburgh* Castle, whither he afterwards sent the Duke of *Chastelherault*, having first confin’d him for eight days in his own lodgings. ° The Earls of *Argyle* and *Huntley* made their peace with the Regent not long after,

° Spotiswood’s *Hist. of the Church of Scotland*, lib. V. p. 229, & seq.

and

and upon their submission he took a progress into the North, kept Justice-Courts at *Aberdeen*, *Elgin*, and *Inverness*, and gave rest to the Country round about.

Upon his return from the North he was met by the Lord *Boyd* at *Elgin*, who was lately sent out of *England* with letters to him from Queen *Elizabeth*, Queen *Mary*, the Duke of *Norfolk*, and several others, who favour'd the Duke's interest. The Queen of *England*^a offer'd three conditions in behalf of the Queen of *Scots*, and requir'd that one of 'em should be accepted; either first, that she should be absolutely restor'd to the royal Dignity; or, secondly, enjoy the regal Title in conjunction with her Son; or, lastly, if neither of these could be effected, that she should be allow'd to live a private life among her own people, in security and ho-

^a Buchan. rer. Scotie. lib. XIX. p. 381. Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 230. See also Crawford's *Memoirs of the Affairs of Scotland*, p. 128. & seq.

^a Mr. Camden mentions these three conditions as offer'd to the Earl of Murray by Queen Elizabeth, but supposes 'em to have been made at a different time, and sent by a different person. See his *life of Queen Elizabeth*, lib. I. p. 126.

nour. The Queen of *Scots* desir'd that Judges might be appointed to enquire into the lawfulness of her marriage with the Earl of *Bothwell*, and if the same was found to be contracted against the laws, it might be declar'd void. Sir *Nicholas Throgmorton*, and his private friends, gave him information that the Queen's marriage with the Duke of *Norfolk* was determin'd, that the Duke had consented, and the marriage was approv'd by the wisest and most powerful among the *English* Nobility, and therefore they press'd him to give his consent and assistance in bringing the matter to an happy conclusion: And farther, they advis'd him to send the Laird of *Lidington* into *England* to negotiate the affair. Sir *Nicholas Throgmorton* wrote letters' also to Secretary *Lidington* to the same effect, and encourag'd him to accept of the employment.

The Regent^r call'd together a convention of the Estates, who assembled at *Perth* the *July* following, to consider of the points propos'd. They began with Queen *Eliza-*

^r Spotswood's *Hist. of the Church of Scotland*, lib. V. p. 231. Buchan. rer. Scotie. lib. XIX. p. 382.

beth's letters, and rejected the first proposition, as derogatory to the King's authority. The second was judg'd to be dangerous; and the third only fit to be accepted. They next proceeded to the Queen of *Scots* demand, and debated the matter with a great deal of warmth. Exceptions were first taken at her manner of writing, which was declar'd to be too imperious and dictatorial; and then 'twas urg'd, that before they proceeded any farther, it would be expedient to have the Queen of *England's* consent, since some other thing was conceiv'd to lurk under the divorce than was openly pretended. The favourers of the Queen, who were acquainted with the intended marriage, excus'd the manner of writing, by throwing the blame upon her Majesty's Secretaries, and engag'd to procure new letters, drawn up in what form they pleas'd, provided that Judges were appointed to proceed in the divorce. But when no regard was had to this proposition, they said, " it seem'd strange to them, that those very
" persons, who had express'd so much zeal
" for the Queen's separation from *Both-*
" *well* not many months ago, should now
" de-

“ decline it, when it was offer’d.” To which it was replied, “ that if the Queen “ was so earnest in the affair, she might “ write to the King of *Denmark* to do “ justice upon her husband’s murderer, and “ then the divorce would be needless, for “ she might marry whom she would.” And thus the Convention broke up in a heat.

* Mr. *John Wood* the Regent’s Secretary was immediately dispatch’d into *England* with the answer of the Convention; and according to the promise made to her Majesty by the Earl of *Murray*, before his departure, he sent along with him all such papers and letters as he had receiv’d from *England*, relating to the Duke of *Norfolk*, that could possibly turn to his disadvantage. The Queen of *England*, pretending to be dissatisfied with the answer of the Convention, sent back Mr. *Wood* into *Scotland*, well rewarded for his pains, and desir’d they would think better of the terms propos’d.

* *Crawfurd’s Memoirs of the Affairs of Scotland*, p. 129. *Spotiswood’s Hist. of the Church of Scotland*, lib. V. p. 231. See also *Sir James Melvil’s Memoires*, p. 99.

The Regent hereupon conven'd the Nobility a second time at *Stirling*, and return'd Mr. *Robert Pitcairne*, the Abbat of *Dunfermling*, with almost the same answer as before.

Queen [†]*Elizabeth* had already insinuated to the Duke of *Norfolk* her knowledge of the affair, in which he was concern'd, and whilst he was attending upon her Majesty at *Farnham*, she pleasantly advis'd him, *to take heed upon what pillow he lean'd his head*. And the Earl of *Leicester*, being soon after visited by her Majesty, whilst he lay at *Tichfield*, indispos'd by a real or pretended illness, disclos'd to her the whole business from its first beginning, and beg'd her pardon with many tears. Her Majesty then call'd the Duke into her gallery, and expostulated with him in very severe terms, for having attempted to marry the Queen of *Scots* without her knowledge, and charg'd him upon his allegiance to give over the design. The Duke very readily promis'd to observe her commands; but finding by her behaviour towards him, that she eve-

[†] Camden's *Hist. of Queen Elizabeth*, lib. I. p. 130.

ry day grew more displeas'd with him, he resolv'd to withdraw from Court without taking leave, and retire to the Earl of *Pembroke's*. The Queen at the same time refus'd to admit the *Scottish* Ambassador, who solicited the delivery of his captive Mistress.

Not long after the Duke being terrify'd with a false report of a Rebellion in the North, and receiving advice from the Earl of *Leicester*, that there was a design to send him prisoner to the *Tower*, departed into *Norfolk*, with a resolution to wait there, till the storm should blow over, and he could find a fit opportunity to reconcile himself with the Queen. The Court in the mean while were apprehensive, lest he should break out into Rebellion; in which case it was reported to have been determin'd, that the Queen of *Scots* should have immediately been put to death.

The Duke being conscious of his own fidelity to Queen *Elizabeth*, and fearing lest the Queen of *Scots* should be more hardly dealt with upon the account of his

z Camden's *Hist. of Queen Elizabeth*, lib. I. p. 131.

retiring

retiring, by the advice of his friends determin'd to return to *Windsor*, where the Queen at that time resided. ^wHe had always repos'd a great confidence in Secretary *Cecil*, and upon the first summons he had receiv'd from her Majesty to repair to her, consulted him, what part he should take in the present conjuncture. *Cecil* made answer, "There was no danger, he might
 "come and go at his pleasure, for no man
 "either would or durst offend him." By this means the Duke was prevail'd on to set forward with a small retinue, whereas otherwise he would have been nobly attended. * When he came to *St. Albans*, he was met by *Owen*, a servant of the Earl of *Arundel's*, who had been privately sent by Sir *N. Throgmorton* and the Lord *Lumley* to persuade him to take the whole blame upon himself, lest by charging it upon *Leicester* and the rest he should make 'em his enemies. He was there receiv'd by *Fitzgerald*, the Earl of *Kildare's* brother, and convey'd to *Burnham*, within three miles of *Windsor*. For her Majesty

^w Melvil's *Memoires*, &c. p. 99.

* Camden's *Hist. of Queen Elizabeth*, lib. I. p. 131.

had been advis'd by y^e Secretary *Cecil*, " that
 " the necessity of the time oblig'd her not
 " to omit this occasion of commanding her
 " guard to lay hands upon the Duke, and
 " that if she neglected the present oppor-
 " tunity, her Crown might be endanger'd."
 The Queen following this counsel caus'd the
 Duke to be taken up and secur'd, at a time
 when he thought all *England* were devoted
 to his service. ² Being examin'd about his
 marriage with the Queen of *Scots*, and the
 private conferences he had held with her
 Embassadour the Bishop of *Rosse*, and con-
 fessing severall of the Articles alledg'd against
 him, he was committed a prisoner to the
Tower of London, under the custody of
 Sir *Henry Nevill*. Two days after the Bi-
 shop of *Rosse* was examin'd; and one *Ro-*
bert Ridolphi, a Gentleman of *Florence*,
 with whom the Bishop had contracted a
 great familiarity, was committed to the
 custody of Sir *Francis Walsingham*. This
³ *Ridolphi*, who had long liv'd as a merchant

¹ Melvil's *Memoires*, &c. p. 99. & seq.

² Camden's *Life of Queen Elizabeth*, lib. I. p. 132.

³ Hieronymo Catena, in his *Life of Pope Pius V.* as
 quoted by Mr. Camden in his *History of Queen Elizabeth*,
 lib. I. p. 118. & lib. II. p. 179.

in *London*, was an agent of Pope *Pius* the fifth, Bishop of *Rome*, and sent over to withdraw the affections of the People of *England* from Queen *Elizabeth*, and animate 'em to an insurrection. The Earl of *Pembroke* was taken up in like manner, and privately examin'd; and several other Noblemen were remov'd from Court, as having been suspected to be concern'd in the affair. And at the same time divers books were written against the marriage, and the Queen of *Scots* succession to the Crown of *England*; which were so displeasing to Queen *Elizabeth*, that she privately gave leave to the Bishop of *Rosse* to defend the title of his Mistress, in a very learned discourse he published upon this occasion, by the assistance of Sir *Anthony Browne*, Lord Chief Justice of the Common Pleas, and Mr. *Carell* an eminent Lawyer.

About this time ^b *Chapine Vitelli*, Marquess of *Cetona*, was sent into *England* by the Duke of *Alva*, under pretence of compounding the differences between the *Spa-*

^b Camden's *Life of Queen Elizabeth*, lib. I. p. 132. & seq.

niard and Queen *Elizabeth*, but in reality to stir up the people to a rebellion, and head the forces the Duke of *Alva* had promised to send out of the *Netherlands*. And not long after his arrival, an insurrection was rais'd in the North by the Earls of *Northumberland* and *Westmorland*, at the instigation of one *Morton*, a *Romish* Priest, whom the Pope had sent over into *England* to pronounce Queen *Elizabeth* an heretick, and thereby to have forfeited all right to her dominions. Their design was to have set at liberty the Queen of *Scots*, and plac'd her at their head. But this project was timely prevented by her removal from *Tutbury* to *Coventry*, where she was entrusted to the care of the Earls of *Shrewsbury* and *Huntingdon*, and secur'd by a considerable guard. The rebels were suddenly dispers'd by the Earl of *Suffex*, who march'd against 'em with a body of seven thousand men. The Earls of *Westmorland* and *Northumberland* fled into *Scotland*, where for some time they lay conceal'd among the poor cottagers. But *Northumberland* was afterwards discover'd by the Earl of *Murray's* spies, and convey'd to

Lochlevin; and *Westmorland* found means to make his escape into the *Low-Countries*, where he long liv'd in a very miserable condition. The Queen of *Scots* delivery was soon after attempted a second time by *Leonard Dacres*, second son to *William Lord Dacres of Gillelland*, but without any success.

Whilst 'affairs were in this situation in *England*, the Earl of *Murray* gave way to jealousies and fears, and manag'd in *Scotland* with an excessive cruelty. He suspected Secretary *Lidington* to favour the cause of the captive Queen, and had resolv'd to accuse him in the convention at *Perth*, of having acted in concert with the Duke of *Norfolk*. But finding his friends were there too numerous, he desisted from his attempt, till he should find a more convenient opportunity to ruin him. Some time after, being at *Sterling* he wrote to the Secretary to attend him there, under pretence of certain dispatches he was to make for *England*. When the Council was met,

Crawford's *Memoirs of the Affairs of Scotland*, p. 132. & seq. Melvil's *Memoires*, &c. p. 100. See also Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 232.

one Captain *Crawfurd* was directed to accuse *Lidington* as a party in the murder of the late King. The Secretary immediately offer'd to give bail, and answer for the crime he stood charg'd with, according to law. But his proposal was over-rul'd, and he was straitway sent to *Edinburgh* a close prisoner, under a strong guard. Sir *James Balfour* and the Lord *Seatone* were imprisoned in like manner. The Laird of *Grange* was at that time Governour of the Castle of *Edinburgh*, and being desirous to save the Secretary's life, whom he knew to be wrongfully accus'd, came down by night with the stoutest of his garrison, and rescued him from the hands of his keepers. The Regent was oblig'd to dissemble his resentment, but resolv'd notwithstanding to prosecute *Lidington*, and order'd that a process of High-Treason should be commenc'd against him. ^d *Grange* in return sent a Trumpet to desire that a like process might be commenc'd against the Earl of *Morton*, and Mr. *Archibald Dowglass*, for the same crime, and challeng'd the lat-

^d Sir James Melvil reports the Challenge to have preceded the Secretary's rescue. Memoires, &c. p. 100.

ter to a single combat upon that account. The Messenger brought another challenge upon the same head to the Earl of *Morton*, from the Lord *Herris*, who was still in custody in the Castle of *Edinburgh*. And this message put a stop to the proceedings for that time.

The ^e rebel army in *England* being now defeated, and the Earl of *Northumberland* taken prisoner by the Earl of *Murray*, he sent the Abbat of *Dunfermling* into *England* with commission to Queen *Elizabeth*, to desire she would give up the *Scotish* Queen into the hands of the King's Lords, to be kept by them in their own country; and promis'd in return to deliver up to her Majesty the Earl of *Northumberland*, and such other of the *English* rebels, as had taken shelter in *Scotland*. The ^f Queen made answer, "that if they would find sufficient
 " pledges for her security, she was ready
 " to deliver her." The Abbat alledg'd the difficulty of so doing, from the possibility of the Queen of *Scotland's* dying in the mean time. And Queen *Elizabeth* re-

^e Camden's *Life of Queen Elizabeth*, lib. II. p. 139.

^f Melvil's *Memoires*, &c. p. 106.

plied, " My Lord, I thought you had been
 " a wise man, you would press me to speak
 " what is by no means necessary ; you know,
 " that my honour requires I should demand
 " pledges, I think you may judge of your
 " self what were best for me." ^h The Bishop
 of *Rosse* interposing in the affair, and solli-
 citing the Queen and Council with great ear-
 nestness not to comply with the Earl of *Mur-*
ray's demands, was accus'd by him as the au-
 thor and abettor of the late Rebellion, and
 committed to close custody in the Bishop of
London's house.

In the very same month was the Earl of
Murray slain, as he was riding thro' *Lith-*
gow, by the single shot of a Musquet bullet.
 The ⁱ Murtherer was one *James Hamilton*
 of *Bothwellhaugh*, who had been taken pri-
 soner in the battle at *Langside*, and was
 condemn'd to be hang'd, but upon his escape
 was forfeited. His wife was the heiress of

^h Camden's *Hist. of Queen Elizabeth*, lib. II. p. 139.

ⁱ Crawford's *Memoirs of the Affairs of Scotland*, &c.
 p. 140, & seq. *Archbishop Spotiswood* tells the story
 with some little variation. See his *Hist. of the Church*
 of Scotland, lib. V. p. 233.

Woodhouselie, and upon her husband's forfeiture had retir'd from *Bothwellhaugh* to her own estate, which she judg'd would have been secure. But the Earl of *Murray* having made a grant of *Woodhouselie* to Sir *James Ballantine*, one of his favourites, he sent a company of Soldiers to take possession of the house. The Officers us'd the Lady with all imaginable barbarity, turn'd her out of doors, stript her of her cloaths, and left her to lie stark naked in the open fields all night. Before morning she became distracted, and *Hamilton* from that moment vow'd revenge to the Earl of *Murray*, which he executed this year on the 23^d of *January*. Immediately as the execution was over, he mounted his horse, which was ready prepar'd for him, and rode to *Hamilton*; from whence he afterwards escaped into *France*. *Thuanus* reports, that being solicited by considerable rewards to cut off the Admiral *Coligni* in like manner, he made answer, " He had no warrant from *Scotland* " to commit murthers in *France*; and tho' " he had taken revenge of the wrong done " to himself, he would engage upon no condition

“dition in another man’s quarrel.” When the ^knews of the Regent’s death was brought to the Queen of *Scots*, she broke out into tears, and lamented in a most passionate manner that he was so suddenly taken off; before he had expiated by a sincere repentance the offences he had committed against God, his Prince, and his Country.

The ¹night after the Regent’s murder *Thomas Carr of Fernihurst* and *Walter Scott of Beaucleugh*, in conjunction with the *English* Rebels, made an inroad upon the borders of *England*, and harass’d the country with fire and sword. Hereupon Queen *Elizabeth* sent *Thomas Randolph* her Embassador into *Scotland*, partly to confer with the Council upon the safest measures to preserve the present posture of affairs, and partly to complain of the injuries done upon the borders ; offering at the same time to send an army into *Scotland* to suppress the insolencies of such as had been actors in this affair, without doing any harm to any true

^k Camden’s *Hist. of Queen Elizabeth*, lib. II. p. 140.
L’Hist. de l’incomp. Reyne Marie Stuart, &c. par Caussin.

¹ Spotiswood’s *Hist. of the Church of Scotland*, lib. V. p. 234.

subject. The Council return'd her Majesty many thanks for her kind message, excused themselves that they could not give her a determinate answer by reason of the present troubles, and begg'd she would delay her purpose 'till the beginning of *May*, at which time a Convention of the Estates would meet, and give her Majesty all reasonable satisfaction. But notwithstanding this remonstrance, the Earl of *Suffex* was order'd to levy forces and march directly into *Scotland* against *Carr* and *Scott*, but with directions only to fight against the *English* Rebels, and the borderers, who had reliev'd 'em.

In the following *March* the *Scotish* Nobility of both parties met at *Edinburgh*. And here it was propos'd by the Queen's Lords, " That her Majesty should be restor'd to the throne of her Ancestors, and in the mean time a Lieutenant or Viceroy should be elected to govern the kingdom in her absence." But the Lords of the Association finding there was no mention made of their young King, absolutely rejected this propo-

^m Camden's *Hist. of Queen Elizabeth*, lib. II. p. 141.

ⁿ Crawford's *Memoirs*, &c. p. 151.

sition, and declar'd, " They were come thither to maintain the present Government, and not to establish a new one." However upon recollection, distrusting their strength, they answer'd the next day, " that the matter propos'd by the Queen's Lords was of such consequence, that it requir'd a longer time to consider of it, before they could come to a final determination." In the mean while they wrote to Queen *Elizabeth*, entreating her assistance; and at the same time sent to the Earl of *Lenox*, desiring he would return into *Scotland*, and take upon him the Regency of the kingdom. The ° Earls of *Huntley* and *Argyle*, and the rest of the Queen's Lords, then assembled at *Edinburgh* and afterwards at *Lithgow*, address'd themselves in like manner to the Queen of *England*, and beg'd her assistance in the Restoration of the captive Queen, and that she would delay to send her army into *Scotland*, 'till she was more fully inform'd of the state of their affairs; promising at the same time to make all due reparation for the losses her subjects had sustain'd.

° Camden's *Hist. of Queen Elizabeth*, lib. II. p. 141.
 Crawford's *Memoirs of the Affairs of Scotland*, p. 157.

Notwith-

Notwithstanding, the ^PEarl of *Suffex* invaded the country about the midst of *April*, and caus'd a dreadful devastation wheresoever he came. Some time after he march'd to *Edinburgh*, and join'd the Associates and the Earl of *Lenox*, who was now return'd into *Scotland*, and in a short time chosen a temporary Regent, under the title of Lieutenant of the Kingdom. Their first step was to make war upon the *Hamilton's*, whose lands and houses they wasted and destroyed in a most miserable manner. But before the Lords had proceeded to the Election of the Earl of *Lenox*, they sent the Abbat of *Dunfermling* with instructions to Queen *Elizabeth*, to lay before her the difficulties they labour'd under for want of a Governour, and to desire her consent and advice in the election. But her Majesty, that she might not seem to prejudice the Queen of *Scots*, refus'd to intermeddle in the affair, 'till her cause should be brought to a rehearing. This answer exceedingly troubled them, and af-

^P Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 237, & seq. Crawford's *Memoirs*, &c. p. 157, & seq. Camden's *Life of Queen Elizabeth*, lib. II. p. 141, 142.

ter much consultation they resolv'd upon the expedient of appointing a Lieutenant for a certain time, and giving notice to Queen *Elizabeth*, that they had no other means to keep the Country in obedience. And thus the Earl of *Lenox* was invested with a Commission of Lieutenandry, which was to continue only 'till the eleventh of *July* next.

This step, tho' it was not over agreeable to Queen *Elizabeth*, yet not being directly opposite to her commands, she thought proper to acquiesce in. And lest they should proceed farther, and elect a Regent without her consent, she sent them the Answer following.

“ THAT she kindly accepted of their good
 “ will testified by their seeking her advice in
 “ the choice of a Regent, that being a mat-
 “ ter of great importance, and nearly touch-
 “ ing the state of their King and Realm.
 “ That her mind once was, that they should
 “ do best to delay the election for a time ;
 “ but now considering the disorders that

¹ Crawford's *Memoirs of the Affairs of Scotland*, p.
 165.

“ were

“ were rais’d, and possibly hereafter might
“ arise, if some Person was not plac’d in
“ that charge, she did allow their resolu-
“ tion, and seeing the abilities of men for
“ that place were best known to themselves,
“ she should be satisfied with their choice,
“ whatsoever it was. Howbeit out of the
“ care she had of the young King, she would
“ not dissemble her opinion, which was,
“ that the Earl of *Lenox*, her Cousin, whom
“ they had already made Lieutenant of the
“ Realm, would be more careful of his safe-
“ ty than any other. But in any case de-
“ sir’d ’em not to think, that in so doing
“ she prescrib’d them any choice, but left it
“ free to themselves to do what was fittest.
“ She desir’d them to rest assur’d, notwith-
“ standing of the reports dispers’d by their
“ Adversaries, that she had neither yielded
“ nor would yield to the alteration of the
“ state of their King and Government, un-
“ less she saw a more clear and just reason
“ than had yet appear’d. For howbeit she
“ condescended to hear what the Queen of
“ *Scots* would say and offer as well for her
“ own assurance, as for the good of the realm
“ of *Scotland*, (a thing which in honour she
“ could

“ could not refuse) yet not knowing what
 “ the same would be, she meant not to
 “ break the order of law and justice, either
 “ to the advancing or prejudicing of her
 “ cause. Therefore finding the Realm go-
 “ vern’d by a King, and him invested by
 “ Coronation and other solemnities requi-
 “ site, as also receiv’d by the three Estates,
 “ she minded not to do any act that might
 “ breed any alteration in the State, or make
 “ a confusion of governments; but as she
 “ found things, so to suffer the same to con-
 “ tinue, and not to permit any change there-
 “ in, so far as she might impede the same,
 “ except by some eminent reason she should
 “ be induc’d to alter her opinion. Finally,
 “ she desir’d them to beware, that neither
 “ by misconceiving her good meaning to-
 “ wards them, nor by the insolent brags of
 “ their adversaries, they should take any
 “ course that might hinder or weaken their
 “ cause, and make her intentions for their
 “ good ineffectual.”

This letter was communicated to the
 Estates assembled at *Edinburgh* on the 12th
 of *July*, and a long discourse made by Mr.

Randolph, the *English* Embassadour, to the same effect. † Upon which they unanimously chose the Earl of *Lenox* to be Regent and Governour of the Realm, 'till such time as the King should be of age to take upon himself the administration of affairs.

While † Queen *Elizabeth* in this manner favour'd the *Scotish* Rebels, the King of *Spain* was not wanting to give encouragement to the faithful subjects of the captive Queen. At the instance of Mr. *James Hamilton* Rector of *Dunbar*, her Majesty's Resident in the *Spanish* Court, he order'd a large supply of arms and ammunition with some small quantity of money to be sent into *Scotland* to the Earl of *Huntley* from the *Netherlands*. In acknowledgment for this favour the Lord *Seatone* was dispatch'd to the Duke of *Alva*, as the Queen's Embassadour, to return thanks to the Duke and the King of *Spain*, and to press for their farther assistance. And that he might the

† Spotswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 241. Crawford's *Memoirs of the Affairs of Scotland*, p. 167.

† Crawford's *Memoirs*, &c. p. 173, & seq. Camden's *Life of Queen Elizabeth*, lib. II. p. 142, & seq.

more engage the *Spaniard* in her Majesty's interest, he enter'd among the confederate forces in a disguis'd habit, and endeavour'd to draw over the *Scotish* Officers, who fought under the *Hollanders*, to the service of the King of *Spain*. He had before inform'd the Duke of *Alva* of this project, and obtain'd from him the promise of as much money, as should suffice to maintain ten thousand men for six months. But the matter being discover'd, before it was brought to a final execution, the Lord *Seatone* escap'd narrowly with his life, and the affairs of the King of *Spain* would not allow the Duke of *Alva* to supply the summ he had promis'd.

In the 'mean time the Bishop of *Rosse* was set at liberty, and so wrought with the Kings of *France* and *Spain*, that they seriously interceded with Queen *Elizabeth* by their Embassadours for the delivery of the *Scotish* Queen. About this time Pope *Pius* V. caus'd the Bull of Excommunication, which he had pronounc'd against Queen *Elizabeth* the year before, to be openly publish'd, and fix'd upon the gates of the Bishop of

* Camden's *Life of Queen Elizabeth*, lib. II. p. 144.

London's palace ; and *John Felton*, the man who set it up, was soon after apprehended for the fact, and executed. There were also executed several *Norfolk* Gentlemen, who under pretence of driving certain *Hollanders* out of *England*, who had taken shelter upon their coasts, had form'd a plot to rescue the Duke. A pestilence now rag'd in the City of *London*, and was entred within the Tower. For which reason the Duke of *Norfolk*, upon faithful promise given under his hand, that he would no longer intermeddle with the marriage and affairs of the Queen of *Scots*, without the advice and consent of Queen *Elizabeth*, was remov'd from the Tower to his own house, and committed to the free custody of Sir *Henry Nevill*, who had attended upon him, during his former imprisonment. This summer also certain Gentlemen in the County of *Derby* engag'd in an attempt to deliver the Queen of *Scots* out of custody ; but the conspiracy being discover'd, they were taken up and imprison'd. And in the mean while the Earl of *Suffex* again enter'd *Scotland* with his forces, and harass'd the Country with fire and sword.

The ^vintercession of the *French* and *Spanish* Embassadors however prevail'd so far upon Queen *Elizabeth*, that she gave consent to a new Treaty with the Queen of *Scots*; and accordingly dispatch'd Sir *William Cecyl* her principal Secretary, and Sir *Walter Mildmay*, to *Chattefworth*, where the *Scotish* Queen was confin'd, to consult with her by what means the differences in *Scotland* might be compos'd, her self restor'd, Queen *Elizabeth* secur'd, and the safety of her son provided for. And at the same time she gave orders to the Earl of *Lenox* to abstain from all acts of hostility against such as paid their obedience to the King's Mother for the space of two months, beginning from the third of *September*. This Treaty was very disagreeable to the Regent, but he found himself under a necessity to submit.

The Articles propos'd to the Queen of *Scots* by the *English* Commissioners were as follows;

^v Camden's *Hist. of Queen Elizabeth*, lib. II. p. 149, & seq. Spotiswood's *Hist. of the Church of Scotland*, lib. V. p. 243, 245.

“ THAT the Treaty of *Edinburgh* should
“ be confirm’d, and her title and claim to
“ *England* be renounced, so long as Queen
“ *Elizabeth* should live, and her children
“ lawfully begotten.

“ That she should neither renew nor keep
“ any league with any foreign Prince against
“ *England*, nor receive foreign soldiers into
“ *Scotland*.

“ That she should hold no correspond-
“ ence with either *Irish* or *English*, with-
“ out the Queen’s knowledge, and in the
“ mean time should cause the *English* Fugi-
“ tives and Rebels to be given up.

“ That satisfaction should be made for the
“ damage sustain’d upon the *English* borders.

“ That a legal inquisition should be made
“ into the murder of her husband the Lord
“ *Darnley*, and of the Earl of *Murray*.

“ That she should deliver her son to the
“ Queen of *England*, as an hostage.

“ That she should contract marriage with
 “ no *Englishman* without the advice of the
 “ Queen of *England*, nor with any other
 “ against the will of the States of *Scotland*.

“ That she should not permit the *Scots* to
 “ pass over into *Ireland*, without leave ob-
 “ tain'd from the Queen of *England*.

“ That for confirmation of these Articles,
 “ the Queen and Commissioners to be ap-
 “ pointed should set their hands and seals,
 “ and six hostages be sent into *England*,
 “ whom the Queen of *England* should name.

“ “ That if the Queen of *Scots* should at-
 “ tempt any thing by herself or any other
 “ against Queen *Elizabeth*, she should for-
 “ feit all right and title to the Crown of
 “ *England*.

“ That the Castle of *Hume* and *Fastcastle*
 “ should be held by the *English* for the space
 “ of three years ; and in like manner some
 “ strong hold in *Galloway* or *Cantire* be put

“ *Archbishop Spotiswood takes no notice of this Article.*

“ into the *Englishmens* hands, lest the *Irish*
 “ *Scots* should from thence infest *Ireland*.

“ And lastly, that the Estates of *Scotland*
 “ should confirm all these particulars by au-
 “ thority of Parliament.”

The Queen of *Scots* referr'd the Com-
 missioners to the Bishop of *Rosse* her Em-
 bassadour in *England*, and to the Bishop of
Galloway and the Lord *Levingstone*, the De-
 puties of her Lieutenants in *Scotland*, who
 return'd the following answer.

“ THAT the Treaty of *Edinburgh* should
 “ be confirm'd, and the title to *England*
 “ renounced so long as Queen *Elizabeth*
 “ liv'd.

“ That the antient league with *France*
 “ was to be consider'd of, since if this was
 “ disregarded, the Queen would lose her
 “ dowry, the *Scots* Nation (of whom an
 “ hundred men in arms, and an hundred
 “ and twenty four Archers were there en-
 “ tertain'd for a guard) the Merchants, Stu-
 “ dents,

“ dents, and many which had got estates in
 “ *France*, and had Ecclesiastical Preferments
 “ there, would be depriv’d of the large pensions
 “ and privileges they enjoy’d, and *Scotland*
 “ lose the amity and assistance of a very
 “ powerful nation ; and unless a full re-
 “ compence was made for these particulars,
 “ they could by no means renounce the
 “ *French* League.

“ That foreign soldiers should not be ad-
 “ mitted, unless a rebellion should break
 “ out, which they could not suppress by their
 “ own forces.

“ That the Queen of *Scots* would hold
 “ no correspondence with the subjects of
 “ *England* to the prejudice of *England*,
 “ provided the Queen of *England* would
 “ not correspond with the subjects of *Scot-*
 “ *land* to the prejudice of *Scotland* ; and
 “ that if there were any *English* Fugitives and
 “ Rebels in *Scotland*, they were with the *Scot-*
 “ *tish* Rebels, and to be demanded of them.

“ That the damages sustain’d should be ex-
 “ amin’d by Commissioners ; and a legal

“ enquiry made into the murders of the
“ Lord *Darnley* and the Earl of *Murray*.

“ That they could not deliver the King
“ as an hostage into the Queen of *England's*
“ hands, forasmuch as he was in the power
“ of those men, who pretended the King's
“ authority to cloak their rebellion against
“ the Queen.

“ That 'twas strange and unheard of for
“ a free Princess to be prescrib'd by a fo-
“ reign Prince and her own subjects in con-
“ tracting marriage.

“ That the *Scots* would not cross over
“ into *Ireland* to the damage of Queen *Eli-*
“ *zabeth*, without leave, provided the *Irish*
“ were bound by the same conditions, and
“ not permitted to cross the seas into *Scot-*
“ *land*.

“ For security of performance, they con-
“ sented to give for hostages whomsoever
“ the Queen of *England* should name, ex-
“ cept the Duke of *Chastelherault*, and the
“ Earls of *Huntley*, *Argyle*, and *Athol*.
“ They

“ They farther assented, that the Queen
 “ of *Scots* should be excluded from all right
 “ of Succession in *England*, if she attempt-
 “ ed any thing against the Queen of *Eng-*
 “ *land*’s right, in case the Queen of *Eng-*
 “ *land* were likewise bound in some equi-
 “ valent penalty, if she should attempt any
 “ thing against the Queen of *Scots*.

“ As for *Hume* and *Fastcastle*, they de-
 “ sir’d they might be restor’d to the Lord
 “ *Hume* their rightful owner, and no lon-
 “ ger held by the *English*. That to deli-
 “ ver up fortresses in *Galloway* or *Cantire*
 “ into Foreigners hands would be nothing
 “ more than to administer new occasions of
 “ war.

The Commissioners not agreeing upon the points propos’d, the Treaty was put off, ’till such time as Deputies should be arriv’d from the Regent and Nobility of *Scotland*. * These were the Earl of *Morton*, the Abbât of *Dunfermlin*, and Mr. *James Mac-gill*. When

* Spotiswood’s *Hist. of the Church of Scotland*, lib. V. p. 248. Camden’s *History of Queen Elizabeth*, lib. II. p. 154.

they

1571. they were come to *London*, the Earls of *Leicester* and *Suffex*, the Lord-Keeper, the Chamberlain, Sir *William Cecyl* lately created Lord *Burleigh*, Sir *Walter Mildmay*, and Sir *Francis Knolles* were appointed to confer with them. They met in the Secretary's chamber, and the Lord *Burleigh* demanded of 'em in the Queen's name, "to
 " give such evident reasons for their pro-
 " ceedings against their Queen, as might be
 " sufficient to satisfy her Majesty, and en-
 " able her with honour to answer to the
 " World for what she did." These reasons they were desir'd to set down in writing, which at last they consented to, but upon this condition, that the writing should be deliver'd back to 'em, without any copy taken of it, if her Majesty was not satisfied with the reasons produced in it. On the last of *February* a discourse was presented, in which they endeavour'd by quotations drawn from Civil, Canon, and Municipal Laws, and supported by examples out of *Scottish* History, to justify the Queen's deposition: and farther they attempted to shew, from the authority of *Calvin*, " That popu-
 " lar Magistrates were every where consti-
 " tuted

“tuted to bridle the Lust of Kings, and that
 “’tis lawful for them to restrain bad Kings
 “by imprisonment, and to depose them.”
 This discourse gave great offence to Queen
Elizabeth, who hereupon told ’em, “She
 “was much dissatisfied with their reasons;
 “and therefore desir’d they would proceed
 “to consult upon what they thought most
 “convenient for the security of their King
 “and of themselves.” But to this they made
 answer, “That they had no commission to
 “treat of any thing, that might derogate
 “from the King’s authority.” In the mean
 time it was propounded to the Bishop of
Rosse and the Queen of *Scots* Deputies, that
 before her Majesty should be set at liberty,
 the Duke of *Chastelherault*, the Earls of
Huntley and *Argyle*, the Lord *Hume*, Lord
Herris, and another of the Barons should
 be deliver’d as hostages, and the Castles of
Hume and *Dunbritton* given up into the
Englishmens hands for three years next en-
 suing. This demand was judg’d unreasonable,
 since by this means the unfortunate Queen
 would be depriv’d of all her most faithful
 friends and places of security, and expos’d an
 easy prey to the will of her enemies. They
 offer’d

offer'd however two Earls as hostages for two years, whereof one of the above-mentioned should be one, and two Barons. But the Castles they could not give up, by their Treaty with *France*, unless the like number should be deliver'd into the hands of the *French*. These propositions being rejected, and the *English* insisting upon such security as the Queen of *Scots* was not able to grant, she recall'd her Commissioners and broke off the treaty.

Whilst these transactions were carrying on in *England*, the truce was broke in *Scotland*, and the Queen's adherents suffer'd a considerable damage. † The Castle of *Dunbarton* was taken by surprize, and the Archbishop of *St. Andrews* hang'd, upon a forg'd pretence of his being accessory to the King's murther. He was the first Bishop that ever suffer'd in *Scotland* by a form of justice, and was convicted upon the impeachment of a mercenary Priest, who swore, he had formerly heard in confession, from one of

† *Crawfurd's Memoirs of the Affairs of Scotland*, p. 188, &c. *Spotiswood's Hist. of the Church of Scotland*, lib. V. p. 251, & seq. *Camden's Hist. of Queen Elizabeth*, lib. II. p. 156.

the Archbishop's servants, that he was present at the King's murder, by his master's order. The Archbishop heard the accusation with great temper, denied the fact, and reminded the Priest of the sin he committed in revealing confession. When sentence was given, the stress of it was laid upon the Act of Attainder, which had pass'd against him in one of the Earl of *Murray's* pretended Parliaments.

Not ² long before, the *Florentine* Merchant *Ridolpho* had privately brought letters to the Queen of *Scots* from the Pope, the Kings of *France* and *Spain*, and the Duke of *Alva*, with large offers of assistance for promoting the cause of the Catholick Religion, and the interests of her Majesty. And he farther desir'd in his private letters, that information might be given of this promis'd aid to the Duke of *Norfolk*, and the rest of her friends, and himself be recommended to 'em. But the Queen had deferr'd her answer, 'till she saw what might be the result of the late Treaty. And now finding she had no hopes of coming to an accom-

² Camden's *Hist. of Queen Elizabeth*, lib. II. p. 154, 157, & seq.

modation by means of a conference, and that she was more closely confin'd than before, she resolv'd to embrace the counsels, which *Ridolpho* had suggested to her. This Gentleman had observ'd, there were three sorts of men amongst the Nobility and People of *England*; who desir'd an alteration in the state. There were some, who in the reign of Queen *Mary* had been advanced to honours and preferments, and were now neglected; others, who favour'd the *Romish* Religion, and were not allow'd the free exercise of it; and a third sort, who being reduc'd in their private fortunes, hop'd to gain an advantage from the change. These wanted nothing to engage them in any enterprize but a leader of credit, supplies of money, and foreign assistance. As for a leader, none could be more proper than the Duke of *Norfolk*, who stood recommended both by his family, and his favour with the people; and besides had lately been disgrac'd in an unworthy manner, and denied the privilege of his Peerage. And then for aid from abroad, he affirm'd, that provided the *Roman-Catholick* Religion were to be promoted, the Pope himself would

would be at the whole expence of the war, and had already furnish'd the last year an hundred thousand crowns for this purpose, of which he the said *Ridolpho* had distributed twelve thousand among the *English* fugitives in *Flanders*: and the *Spaniard* was so provok'd at the injuries he had sustain'd from the *English*, that he was ready to send over an arm'd force, consisting of four thousand horse, and six thousand foot, which might conveniently be landed at *Harwich* in the beginning of summer, when the Duke of *Medina* was to come with a very considerable fleet into the *Netherlands*. And all this, he said, might be carried on with such secrecy and caution, that the Duke might be freed from the imputation of affecting the Crown, and a provision made for the Queen of *England's* safety, in case she would tolerate the *Romish* religion, or become a *Romanist* her self, and consent to the Duke's marriage with the Queen of *Scots*.

This ^a scheme *Ridolpho* had once propos'd in the Duke's presence, and frequently af-

^a Camden's *Hist. of Queen Elizabeth*, lib. II. p. 157. *The Tryal of Thomas Duke of Norfolk*, &c.

terwards

terwards explain'd to him by the mouth of *Barker*, one of his Grace's servants. And at this time the Queen of *Scots* had sent a large draught of it to him, with the scheme of her other most secret designs, written in a cypher agreed upon between them two; together with the copies of certain letters which were to be convey'd to the Pope and King of *Spain*, by *Ridolpho*, whom she recommended as a person of capacity and character, and most devoted to her service. The Duke gave these papers to *Hickford* his Secretary to be decypher'd, with orders afterward to cast 'em into the fire; but instead of this, *Hickford* hid 'em under a mat, in an entry, that led to the Duke's chamber.

Ridolpho^b, before his dispatch, desir'd to have letters of credit subscrib'd by the Duke of *Norfolk*, which might authorize him to treat with foreign Princes for the aid requir'd. Accordingly recommendatory letters were drawn up to the Pope, the King of *Spain*, and the Duke of *Alva*, but the Duke would by no means be prevail'd on

^b *The Tryal of Thomas Duke of Norfolk, &c.*

to set his name to 'em. However, he so far comply'd with his request, that he sent *Barker* with the Bishop of *Rosse* to the *Spanish* Embassador, to declare to him his assent to *Ridolpho's* letters; and thus the Embassador recommended *Ridolpho* and his Message to his Master, in the Duke's name, tho' without his subscription.

Whilst *Ridolpho* was in *Flanders*, soliciting this affair with the Duke of *Alva*, Queen *Elizabeth* had notice of the design, communicated to her by a foreign Minister in the *Netherlands*, who judging it dishonourable to conceal a practice of this nature, gave intelligence of it to her Majesty by letters, as soon as it came to his knowledge. This caus'd a strict search to be made after all such persons as were suppos'd to be concern'd in the conspiracy, and it was not long before one *Charles Baily*, a servant of the Queen of *Scots*, was apprehended at *Dover*, and imprison'd, and a packet of letters that was found upon him sent to the Lord *Cobham*, Lord

^c Ibid.

^d Camden's *Hist. of Queen Elizabeth*, lib. II. p. 161. *The Tryal of Thomas Duke of Norfolk*, &c.

Warden of the Cinque Ports. These letters were written in cypher, and address'd to the Queen of *Scots*, the *Spanish* Embassador, the Duke of *Norfolk*, the Bishop of *Rosse*, and the Lord *Lumley*; but by the artifice of the Bishop of *Rosse*, the packet was deliver'd to him, and another packet of insignificant letters given in to the Council, which bore no relation to the design; and this also was made known to *Baily*. But when *Baily* was put to the torture, he confess'd the writing and bringing the letters, disclos'd so much of the contents of 'em as he could recollect, and shew'd how they were fallen into the Bishop of *Rosse*'s hands. The Bishop in the mean time was not idle, but had privately convey'd his Secretary *Cuthbert*, who was alone privy to his part in the affair, out of the kingdom, and distributed his cyphers and letters among his friends, so that when certain of the Lords were sent to search his house, there was nothing to be found there, nor could they draw any other answer from him, than that an Embassador was not obliged to give an account to any besides his Prince. However they committed him pri-

soner about three days after, to the keeping of the Bishop of *Ely*, and in a short time convey'd him into the Isle of *Ely*; and several others were taken up upon suspicion.

About this time certain sums of money were sent into *Scotland*, for the relief of the Queen's party. The *French* Ambassador had one thousand four hundred Crowns provided for this purpose, the Queen sent a thousand more, and was desirous the D. of *Norfolk* should make up the summ three thousand. The money was put into the Duke's hands, who deliver'd two thousand Crowns of it to one *Brown* of *Shrewsbury*, by *Hickford* his Secretary, to be carried to *Bannister*, the Duke's Counsellor at Law, who was to convey it from thence into *Scotland*, to the Lord *Herris*. *Hickford*, when he gave *Brown* the bag, told him there was fifty Pounds in it for Mr. *Bannister*. But *Brown* being of a suspicious temper, and finding it heavier than fifty Pounds in silver, tho' otherwise of a proportionable bulk, deliver'd both the bag and the letters into the hands of the privy Council.

^e Ibid.

Barker^f in the mean while was apprehended, and confess'd all he knew, and Sir *Ralph Sadler* was order'd to keep a strict guard over the Duke's house in *London*. Three days after the Duke himself was examined, and denied all that his servants had confess'd. On the 7th of *September* he was again committed to the *Tower*, from whence he had been set at liberty about a year before. And soon after several Lords and Gentlemen were taken up and imprisoned, who in hopes of pardon made every one of 'em a full confession. These confessions, and the papers which *Hickford* had hid under the mat, were then produc'd to the Duke's face, who in great confusion cry'd out, "He was ruin'd by his confidents." He desir'd the Council to intercede for him with the Queen, promis'd to make an entire discovery of all he knew, and protested in a most solemn manner, that he had never consented to any thing which could be prejudicial to her Majesty, or disserviceable to the kingdom. And the same day he was examin'd

^f Camden's *Hist. of Queen Elizabeth*, lib. II. p. 163.

upon about fifty Articles, and conceal'd nothing. Soon after the Bishop of *Rosse* was brought up to *London* from the Isle of *Ely*, severely menac'd by the Council, and declar'd to have forfeited the right of an Ambassador, and become liable to the punishment of the law for his offence. But he stiffly maintain'd the contrary, and insisted upon the privilege of his character. After some disputes he was carried to the *Tower*, and kept close prisoner, and in a short time answer'd to his examination, but upon condition, that what he said should be improv'd to no body's prejudice.

§ This year was *Matthew Stuart*, Earl of *Lenox*, and Regent of *Scotland*, slain at *Stirling*, after having govern'd the kingdom about fourteen months. He was succeeded in this office by the Earl of *Marr*, who being a man of a mild and peaceable temper, is reported to have dy'd of grief about a year after.

§ *Memoirs of the Affairs of Scotland, &c.* p. 232, &c. § 271. *Spotiswood's Hist. of the Church of Scotland, &c.* lib. V. p. 256, 264. *Camden's Hist. of Queen Eliz.* lib. II. p. 166.

1572. On the 16th of *January* the ^hDuke of *Norfolk* was brought to his trial, and found guilty. The Queen deferr'd his execution till the 2^d of *June*, and 'twas thought would have gladly preserv'd his life longer, but the frequent attempts made to deliver him, were laid hold of as arguments to hasten his Death. When he came to the scaffold, he acknowledg'd that he was justly condemn'd, begg'd God and the Queen's pardon for what he had done, declar'd himself a Protestant, and died like a Christian.

Some ⁱ few days after his execution, the Lord *De-la-Ware*, Sir *Ralph Sadler*, Dr. *Wilson*, and Mr. *Bromley* the Solicitor General, were sent to the Queen of *Scots*, to expostulate with her upon certain Articles laid to her charge. The principal points complain'd of were her usurpation of the Arms and Title of *England*, her behaviour towards the Duke of *Norfolk*, her concern in the *Northern* Rebellion, her application to the Bishop of *Rome* and the King of

^h Camden's *Hist. of Queen Elizabeth*, lib. II. p. 170, 177, & seq.

ⁱ Ibid. p. 181. See also the brief *History of the Life of Mary Queen of Scots*, &c. p. 6. & seq. and *Spotiswood's Hist. of the Church of Scotland*, lib. V. p. 261.

Spain, by *Ridolpho the Italian*, for an armed force to invade *England*, her having procur'd the Pope's Bull against Queen *Elizabeth*, and suffering her self to be publicly styl'd, *Queen of England*, by her favourers in foreign countries.

To these Articles, having first protested, that she was a free Queen, and unaccountable to any, she readily answered,

“ That she had not usurp'd the Title and
 “ Arms of the Kingdom of *England*, but
 “ that the King of *France* and her Husband
 “ had impos'd them upon her, being then
 “ but young, and under the power of an
 “ husband, and therefore she was not to be
 “ blamed for it. Neither had she born
 “ them since her husband's death; nor
 “ would she challenge them as long as
 “ Queen *Elizabeth* or her children liv'd.

“ As for Marriage with the Duke of
 “ *Norfolk*, she never intended it to the
 “ hurt of the Queen, for she was perswaded
 “ it would rather be for the good of the
 “ Commonwealth; but she had not re-
 “ nounc'd it, for that she had plighted her

“ troth to him. She had advis’d the Duke
“ to free himself out of prison and danger,
“ as by the love of a wife she was bound
“ to do.

“ Rebellion she had rais’d none, nor was
“ she accessory thereto ; but was ever most
“ ready to reveal any attempts against the
“ Queen, if she would vouchsafe to hear
“ her face to face. The *English* Rebels
“ she had never reliev’d, only she had by
“ her letters recommended the Countess
“ of *Northumberland* to the Duke of
“ *Alva*. *Ridolpho*, whom she knew to
“ be in great favour with the Pope, she
“ had made use of in money-matters, yet
“ did she never receive any letters from
“ him.

“ She had encourag’d none to endeavour
“ her liberty. She had indeed willingly
“ given them the hearing, who had offer’d
“ their service therein, and in that regard
“ she had communicated a privy Cypher to
“ *Rolston* and *Hall*.

“ From

“ From the Bishop of *Rome* she had received letters now and then, and those
“ full of piety and consolation, wherein
“ there were no such manner of expressions
“ as was pretended.

“ She procur'd no Bull from *Rome*, only she saw a printed copy thereof, which
“ as soon as she had read, she threw into
“ the fire. If any in foreign parts do write
“ or name her otherwise than they ought,
“ let them bear the blame. She never by
“ letters crav'd aid of the Bishop of *Rome*
“ and the *Spaniard* to invade *England*;
“ but she had implor'd their help to restore
“ her to her kingdom, and that with the
“ Queen's privy.

“ And if any question be made of those
“ letters, or of her endeavouring the marriage by force and arms, she prayeth that
“ (since she is born of the Blood Royal of
“ *England*) she may answer the matter
“ personally in the next Parliament of
“ *England*.”

At

At this^k time the dissensions in *Scotland* grew extravagantly high, whilst no quarter was given on either side, nor any exchange of prisoners made, but whoever was taken was immediately hurried to execution. The Earl of *Morton* was blam'd for this proceeding, who thought the sooner to have put an end to the troubles by this excess of severity. In the mean while the Queen's arms were successful in the North, and all the Country beyond the *Dee* reduc'd to her obedience. *Adam Gordon*, the Earl of *Huntley's* brother, was his Deputy for the Queen in those parts, and carried all before him, wherever he came. This success inclin'd the King's party to think of peace; and by the mediation of the *English* and *French* Embassadors, a cessation of arms was agreed upon for two months, to commence from the 31st of *July*.

In the preceding^l *June* the Duke of *Montmorency*, *Paul de Foix*, and *Bertran de Sa-*

^k Spotiswood's *Hist. of the Church of Scotland*, &c. lib. V. p. 262. Crawford's *Memoirs of the Affairs of Scotland*, &c. p. 245, & seq. Camden's *Hist. of Queen Elizabeth*, lib. II. p. 182.

^l Additions de Mr. de Laboureur aux *Memoires de Mr. de Castelnau*, p. 583, & seq.

S. de la Motte-Fenelon, Embassadors Extraordinary of the King of *France* at *London*, had earnestly interceded with Queen *Elizabeth* in behalf of the captive Queen, by orders from his Majesty. They urg'd, that the King their Master was induc'd to favour the Queen of *Scots* interest for many reasons; as she had been wife to the King his brother, and Queen of *France*; as she was descended of the House of *Lorrain*, which was nearly allied to his Majesty; and her Grandmother was Princess of the Blood and of the Family of *Bourbon*. That there had been a league offensive and defensive between the royal Houses of *France* and *Scotland*, without any interruption, ever since the Reign of *Charles the Great*, and it would be ungrateful and ungenerous to follow only the sun-shine of her fortunes, and forsake her in her affliction and adversity. He therefore desir'd, she might be treated with such instances of kindness and regard, as were consistent with the Queen of *England's* security. But when nothing of moment could be obtain'd by this application, and it ^m appear'd that the Queen

^m Camden's *Hist. of Queen Eliz.* lib. II. p. 184.

of *Scots* was then seeking after a closer confederacy with the King of *Spain*, the affections of the *French* King towards her began to abate, and Queen *Elizabeth* gave orders for a stricter confinement than before.

How grievous the toils of her imprisonment were, we may learn from the complaints she made to Monsieur *Castelnau*, the *French* Ambassador, some time after: “Tho’
 “ I ought not,” says she, to trouble you with
 “ my private concerns, whilst you are en-
 “ gaged in so many great and important
 “ negotiations, yet the necessity I lie under
 “ from my present uncomfortable situation,
 “ and the want of exercise, has obliged me
 “ to make a second application to you for
 “ your assistance; and the rather, that not-
 “ withstanding the many promises, which
 “ have been made to you in my behalf, there
 “ has been no provision for any redress, as
 “ my Lord *Shrewsbury* frankly told me,
 “ when I mention’d the matter to him. I
 “ beg therefore the intentions of my good
 “ Sister the Queen of *England* may be no-

“ Additions aux Memoires de Mr. de Castelnau, &c.
 p. 189, & seq.

“ tified,

“tified, and orders given, that I may be
“allow’d the use of a Coach or Chariot to
“ride abroad and take the air in the neigh-
“bourhood. I am reduced to such an ex-
“cessive weakness, especially in my legs;
“that I am not possibly able to walk an
“hundred steps, and yet I am better than I
“have been for these six months past. Ever
“since last *Easter* I have been forced to be
“carried in a Chair in my servants arms ;
“and you may judge how little refreshment
“of that kind I can have, with so few peo-
“ple about me, that are proper for such an
“employment. I beg you would farther
“press for the Pass-ports of my Lord *Sea-*
“*tone* and the Lady *Lidington*, that I may
“have the attendance of them here, or of
“some other persons of their quality ; and
“at the same time please to solicit for two
“women and two men-servants more,
“which in the bad condition, my late suf-
“ferings have brought upon me, is no more
“than what is necessary to my health, and
“befitting the honour of the Queen my
“good Sister.” This Letter was dated from
Sheffield in the year 1681.

◦ *Esme*

° *Esme Stuart*, Lord *d'Aubigny*, had return'd from *France* about two years before to visit the King of *Scots*, as being nearly allied to him in blood, and Cousin-german to his Father. The King had receiv'd him very graciously, and not suffering him to leave *Scotland*, had given him large possessions, created him first Earl and then Duke of *Lenox*, admitted him to his most secret counsels, and preferr'd him to the office of Lord High-Chamberlain, which employment had for many years been laid aside in the kingdom. This advancement procur'd him the envy of several of the Nobility, and was particularly displeasing to the Earl of *Morton*, whose authority began to decay in a visible manner; and this gave occasion to certain private reports, that the Earl of *Lenox* being a *Romanist*, and devoted to the house of *Guise*, was sent over into *Scotland* to subvert the reform'd religion. 'Twas farther rumour'd, P that he had told the King, the Queen his mother was unjustly deposed, and perswaded

° Spotswood's *Hist. of the Church of Scotland*, &c. lib. VI. p. 308. Camden's *Hist. of Queen Elizabeth*, &c. lib. II. p. 234.

P Camden's *Hist. of Queen Eliz.* &c. lib. II. p. 258.

him to give back the Crown into her hands, upon promise immediately to receive it from her again by a lawful resignation; and that thus the kingdom would legally be confirm'd to him, and all the pretences of the factious entirely remov'd. Hereupon Queen *Elizabeth* sent Sir *Robert Bowes* her Embassadour into *Scotland*, to charge *Lenox* with certain practices, that were detrimental to the peace of the two kingdoms. But upon some disgust he was call'd home, before he was heard, and complain'd that his Queen had deserv'd better of the *Scots*, than to have her Embassy slighted.

^a Some time after, the authority of the Earl of *Lenox* increasing, and a notion prevailing, that the Duke of *Guise* made use of his interest to withdraw his Majesty's affection from the *English*, *Ruthuen*, whom the King had lately created Earl of *Gowry*, in conjunction with certain other Lords and Gentlemen, form'd a conspiracy to seize upon the King, under a pretext of providing for the

^a Spotiswood's *Hist. of the Church of Scotland*, &c. lib. VI. p. 320. &c. Camden's *History of Queen Elizabeth*, lib. III. p. 274, & seq. Additions aux *Memoires de Mr. de Castelnau*, &c. p. 600.

safety of religion, his Majesty's defence, and the friendship of *England*; and thus to remove the Earl of *Lenox*, and other his most faithful servants, from about his person. They laid hold of an opportunity, when *Lenox* was gone to *Edinburgh* to exercise his office of Chamberlain, and the Earl of *Arran* was out of the way, and invited the King to *Ruthuen* castle. There they detain'd him against his will, oblig'd him to banish the Earl of *Lenox*, to imprison the Earl of *Arran*, to recall the Earl of *Angus*, and to write Letters to Queen *Elizabeth*, declaring his approbation of what they had done, and that a Parliament call'd by them to meet at *Edinburgh* was just and legal.

The 'Queen of *Scots* in the mean while labouring under doubts and fears, and spent with the fatigues of a long imprisonment, without any the least appearance of regaining her liberty, lamented the severity of her fate and her son's misfortune, in a long letter which she wrote to Queen *Elizabeth* upon this occasion, and of which Mr. *Camden* has given us the following Extract.

' Camden's *Hist. of Queen Elizabeth*, &c. lib. III. p. 276.

“ Whereas

“ WHEREAS I have been certainly adverti-
 “ fed, that my fon is surpris’d by Rebels,
 “ (as I myself also was some years since) out
 “ of a juſt fear, leſt he ſhould undergo the
 “ ſame common condition of infelicity with
 “ myſelf, I cannot but make my wofull com-
 “ plaints, and imprint the ſame (if it may
 “ be) in your conſcience, that ſo my inno-
 “ cency may appear to poſterity, and their
 “ ignominy, by whoſe unjuſt dealings I am
 “ moſt undeſervedly brought into theſe mi-
 “ ſeries. But ſeeing their cunning practices
 “ and devices (tho’ never ſo wicked) have
 “ hitherto been of more credit with you
 “ than my moſt juſt complaints, and your
 “ might may ſeem to overcome right, and
 “ force to oppreſs and bear down truth a-
 “ mongſt men, I will appeal to the ever-
 “ living God, in whom only I acknowledge
 “ a power and dominion over us, that are
 “ Princes of equal juriſdiction, degree, and
 “ authority. And upon him will I call
 “ (with whom there will be no place for
 “ craft nor fraud) that in the laſt day he will
 “ reward us according to our deſerts one
 “ towards another, howſoever my adverſa-

“ ries know in the mean time how to cloak
 “ their treacherous dealings before men, and
 “ haply before you. In his Name therefore,
 “ and as it were before his Tribunal-seat, I call
 “ to your remembrance, by what cunning
 “ artifices some who were employ’d in your
 “ name drew the *Scots* my subjects into
 “ rebellion against me, whilst I liv’d in *Scot-*
 “ *land*, and gave rise to all those mischiefs,
 “ which have happen’d there ever since.
 “ Which (to omit other proofs) is certainly
 “ known by evident testimonies to be pro-
 “ duc’d, and by confession out of *Morton’s*
 “ own mouth, who was in that respect ad-
 “ vanced to honour. Against whom if I had
 “ proceeded according to law and justice,
 “ and you had not aided my Rebels, they
 “ could not have stood out long against me
 “ and my friends.

“ While I was kept in prison at *Lough-*
 “ *levin*, Sir *Nicholas Throgmorton* was a
 “ means to persuade me in your name to
 “ set my hand to a Writing, and resign the
 “ kingdom; which writing he affirm’d would
 “ be invalid, and so the whole world hath

“ Made Regent upon Q. Elizabeth’s recommendation.

“ taken

“ taken it to be, until you assisted the Au-
 “ thors of the said Instrument readily with
 “ your favour and countenance, as also with
 “ an armed Power. And tell me *bonâ fide*,
 “ would you acknowledge such an autho-
 “ rity and power of your subjects over you?
 “ Yet thereby was my regal authority taken
 “ from me, and that by your advice and as-
 “ sistance, and my kingdom translated to
 “ my Son, who was then in respect of his
 “ age uncapable thereof. And when I my
 “ self was not long since determin’d to con-
 “ firm the kingdom to him lawfully, he
 “ was forcibly seiz’d on by certain Tray-
 “ tors, who without question purpos’d to
 “ despoil him (as they had done me) of the
 “ kingdom, if not of his life also. After
 “ I had made an escape out of *Lough-lewin*,
 “ and was now ready to give the Rebels bat-
 “ tle, I crav’d your aid, sending back that
 “ diamond, which I had formerly receiv’d
 “ from you in pledge of your love, with
 “ large promises of assistance against my
 “ Rebels time after time renew’d, giving me
 “ also then your faithful word, that if I
 “ would betake myself to you, you would
 “ come to the borders, and assist me in

“ your person. I relying upon this your
“ promise so often repeated (tho’ those you
“ employ’d had many times deceiv’d me
“ with fair words) resolv’d to fly unto you
“ in mine adversity as a sacred anchor. And
“ certainly so I had done, had I found as
“ easy access to you, as my Rebels against
“ me have always had. But before I could
“ come to you, I was seiz’d upon, guarded
“ with Keepers, shut up in strong holds, and
“ have ever since endur’d afflictions more
“ bitter than death itself.

“ I know you will upbraid me with what
“ pass’d betwixt me and the Duke of *Nor-*
“ *folk*, but I deny that it was any way pre-
“ judicial to you or your kingdom. For it
“ was approv’d of by the chief Counsellors
“ of the realm of *England*, and confirm’d
“ by their subscriptions, which may be pro-
“ duc’d, who also gave an assured promise
“ of your consent. And how (I pray you)
“ could men of that Quality promise your
“ consent to that which would deprive you
“ of life, honour, and your diadem ? Yet
“ you would have these things believ’d by
“ all men.

“ But

“ But when some of my said Rebels re-
 “ pented them, when it was too late, and
 “ perceiv’d more palpably by the Conference
 “ between our Commissioners at *Tork*, how
 “ injuriously I was dealt withal, they were
 “ presently besieged by your forces in the
 “ Castle of *Edinburgh*; and ‘two of the
 “ chief of ‘em were miserably bereav’d of
 “ their lives, one by poison, the other by
 “ the gallows. And this after I had at your
 “ request caus’d them more than once to lay
 “ down their arms, in hopes of peace, which
 “ God knoweth whether my Adversaries e-
 “ ver intended.

“ From that time forward I determin’d
 “ with myself to try whether I could by
 “ patience mitigate others rigour, by bear-
 “ ing quietly all things which should be in-
 “ flicted on a captive Queen. Yet have I
 “ now for this whole year been quite de-
 “ barr’d from all intercourse with my son
 “ either by letters or messengers, that so,
 “ if it were possible, the Son might be rent
 “ and divided from his Mother by a sad and
 “ woful alienation of affections.

‘ Lidington and Grange.

“ Conditions of peace and concord to be
 “ made betwixt us I have often propound-
 “ ed, at *Chatesworth* eleven years since
 “ with your Commissioners, and with your
 “ self by the Embassadours of the most Chri-
 “ stian King and my own, and the last win-
 “ ter with *Beale*, have I dealt therein sin-
 “ cerely. But those conditions have always
 “ been rejected, delays sought and inter-
 “ pos’d, my actions and endeavours miscon-
 “ strued, and the sincere affections of my
 “ mind still condemned. And of my long
 “ patience I have reap’d no other fruit, than
 “ that by a certain prescription it grew to a
 “ custom, that I was every day more rough-
 “ ly handled than other. These things in-
 “ deed I am no longer able to endure : and
 “ howsoever it fall out, if I die, I will make
 “ known the Authors of my death ; and if
 “ I live, I shall, I hope, cause all wicked
 “ contrivances and calumnies against me to
 “ cease, that I may pass the rest of my life
 “ in greater quiet and tranquillity.

“ Wherefore to take away all misunder-
 “ standings betwixt us, let the testimonies
 “ of the *Spaniards*, that were lately taken
 “ Prisoners in *Ireland*, be produc’d against
 “ me,

“ me, let the examination of the Jesuits be
 “ brought forth, let every man have liberty
 “ to accuse me publickly ; so as I in like
 “ manner may have liberty allow’d me to
 “ defend myself, and not be condemned
 “ unheard. The basest malefactors and pri-
 “ soners are allow’d their defence, and their
 “ accusers brought before them face to face.
 “ And why am not I so dealt withal, who
 “ am an anointed Queen, in blood most
 “ nearly allied unto you, and next to you
 “ the lawful heir to the Crown. And this
 “ last is that which above all vexeth and
 “ troubleth my adversaries, who labour to
 “ set us too at variance. Alas ! there is no
 “ reason this should trouble them. I call
 “ God and mine own honour to witness,
 “ that I have for this long time thought of
 “ no other kingdom but that of heaven.
 “ Yet are you bound in conscience, and ob-
 “ lig’d both in regard of your duty and just-
 “ ice, not to prejudice my Son’s undoubted
 “ Title after my death, nor to further the
 “ secret contrivances of those, who, both
 “ in *England* and *Scotland*, do labour tooth
 “ and nail the destruction of me and my
 “ Son ; as is more than too apparent by the

“ carriage of your Messengers in *Scotland*,
 “ who have behav’d themselves seditiously
 “ enough, unknown to you no doubt, tho’
 “ *Huntingdon* have busily bestirr’d himself
 “ therein.

“ Is this reason, that I who am a mother
 “ should be prohibited not only to advise
 “ my oppressed Son, but so much as to un-
 “ derstand in what condition he is ? Had
 “ those Messengers been sent for my Son’s
 “ good, haply, if they had taken my advice
 “ along with them, they might have been
 “ more welcome to him for my sake ; cer-
 “ tainly you had obliged me the more close-
 “ ly to you. Neither was there any reason,
 “ why you should so carefully conceal their
 “ sending, or quite take from me at that
 “ time all use of my liberty. But to speak
 “ freely, I beseech you to employ no more
 “ such Ministers in *Scottish* matters. For
 “ tho’ *Cary*, I think, would undertake no-
 “ thing unbeseeming himself and his honour ;
 “ yet can I promise my self no good of
 “ *Huntingdon*, by reason of his bad beha-
 “ viour towards me.

“ *Lord Huntingdon.*

“ There-

“ Therefore I do earnestly beseech you,
“ by the near kindred that is between us,
“ to have a serious care of my Son’s safe-
“ ty, to intermeddle no more in *Scottish*
“ matters, without acquainting me or the
“ *French* King, and to esteem those for no
“ better than Traitors, who detain my Son
“ in custody, and constrain him against his
“ will to do what they list. In brief, I
“ beseech you by the cross and passion of
“ Christ our Redeemer, that I may now,
“ after so many years restraint, be restor’d
“ to my liberty upon reasonable conditions,
“ and may for the small remainder of my
“ life refresh my decay’d body somewhere
“ out of *England*, after so long grief and
“ languishing in prison. So shall you ob-
“ lige me and mine, and especially my Son,
“ unto you for ever. And this will I ne-
“ ver cease to beg of you with all earnest-
“ ness, ’till you grant it me; and that which
“ moveth me so earnestly to crave it is the
“ afflicted state of my body and health.
“ Take order therefore, that I may hereaf-
“ ter be more courteously used, other-
“ wise in plain terms I shall not be able
“ to endure it; and put me not off to any
“ other

“ other doom and sentence than your own.
 “ Whatsoever hereafter shall befall me, good
 “ or ill, I shall take it to come from your
 “ self alone. Vouchsafe me this favour,
 “ that I may understand your mind from
 “ your self, either by a short letter, or by
 “ the *French* Embassador. I cannot rest
 “ satisfied with these things, which the Earl
 “ of *Shrewsbury* tells me, considering that
 “ they are alter’d every day. When I
 “ wrote of late to your Council, you wish’d
 “ me to acquaint your self only with my
 “ business. But there was no reason for
 “ you to grant them so large an authori-
 “ ty over me, to trouble and afflict me.
 “ Yet I cannot but fear that some of them,
 “ who are my adversaries, have procur’d
 “ this, lest the rest, when they should have
 “ heard my just complaints, should oppose
 “ them, in regard as well of your honour
 “ as of their own duty towards you. Now
 “ it remaineth, that I make this special re-
 “ quest unto you, that my mind being ta-
 “ ken up with the thoughts of another life,
 “ I may have some Reverend Catholick
 “ Priest allow’d me, who may direct me in
 “ my Religion for my soul’s health. This
 “ last

“ last office is not to be denied to the fil-
“ liest wretches of the meanest condition.
“ To foreign Princes Embassadors you al-
“ low the exercise of their Religion, and
“ I freely granted it to my subjects of a
“ different Religion. If this be denied me,
“ I hope I shall be excus’d before God, but
“ my adversaries I fear will not escape un-
“ punish’d. Certainly it will be a prece-
“ dent for other Princes of *Christendom* to
“ use the like severity towards their subjects
“ of a different Religion, if this rigour be
“ shew’d to me, who am an absolute Prin-
“ cess, and your nearest kinswoman. For
“ so I am, and so I shall be as long as I
“ live, whether my adversaries will or no,
“ and tho’ they be never so ill pleased and
“ satisfied at it. To have my household in-
“ creas’d I desire not, but I am necessitated
“ to desire you, that I may have two wait-
“ ing-women allow’d me, whom I shall
“ have need of in this my weak condi-
“ tion ; and let’ not mine enemies satisfy
“ their malice and cruelty in hindring me
“ of so small a courtesy. Whereas I am
“ privately accus’d by the Earl of *Shrewsf-*
“ *bury*, that, contrary to what I promis’d

to

“ to *Beale*, I have dealt with my Son about
“ conveying my Title in *Scotland* to him
“ without your privity ; I beseech you be-
“ lieve not *Beale*’s suggestions. I promis’d
“ nothing but upon certain conditions, to
“ which I am not at all tied, unless those
“ on your part be performed by you.
“ Since that time I have received no an-
“ swer, and a deep silence hath ensued
“ touching those matters: but the practices
“ and contrivances in *Scotland* to the de-
“ struction of me and my Son, have been
“ continued. This so long a silence, I
“ could not construe any thing else but a
“ flat denial, which I signify’d to you and
“ your Council by letters. What the
“ *French* King and his Mother imparted
“ unto me, I have truly and ingenuously
“ acquainted you withal, and ask’d your
“ counsel in it ; but I have not heard so
“ much as a word from you. To submit
“ my self to your advice touching my af-
“ fairs and my countrey, before I knew
“ what manner of advice it would be, I
“ never intended ; for this might seem a
“ piece of extreme folly. How my adver-
“ saries in *Scotland* triumph over me and
“ my

“ my captive Son, is not unknown to you.
“ For my part I have attempted nothing
“ there which may prejudice you ; what I
“ have done hath been for procuring a so-
“ lid Peace in that Kingdom, whereof sure
“ I should have as great care as your Coun-
“ cil, for I am far more interested therein
“ than they. I desir’d with all my heart to
“ gratify my Son by confirming to him the
“ Title of King, and to bury all discords in
“ oblivion. Is this to snatch away the dia-
“ dem from my Son ? But my adversaries
“ and the adversaries of my family would
“ not have it confirm’d to him. This they
“ envy him, whilst they carry a witness
“ against themselves in their own breast, and
“ by reason of their guilty conscience mis-
“ trust their own condition.

“ Let not these and other my Adversa-
“ ries so far blind your eyes, as that, while
“ you live and see it, they bring your near-
“ est kindred to their graves, and under-
“ mine both Crowns. For to that purpose
“ certainly do they carry on their wicked
“ practices against me, against my son, and
“ perhaps against your self too. Can it be
“ any advantage to you, that by their means

“ I and my Son, and you and I ourselves,
 “ are so long depriv’d of one another? Re-
 “ call yourself to your innate mildness and
 “ lenity, oblige yourself to yourself, and,
 “ as you are a Princess, soften your spirit,
 “ and dispose it to lay aside all displeasure
 “ towards me a Princess so nearly related to
 “ you in blood, and so loving to you; that
 “ these matters being compounded between
 “ us, I may the more quietly depart this
 “ life, and the groans and sighs of my af-
 “ flicted soul may not ascend up to God a-
 “ gainst you. To whose Majesty I offer up
 “ my daily prayers, beseeching him that
 “ these my just complaints and woful la-
 “ mentations may now at length find regard
 “ with you. At *Sheffield* the eighth
 “ of *November*, 1582.

Subscrib’d,

Your most sorrowfull nearest kinswoman

and affectionate Sister,

MARY R.

Queen

Queen ^w *Elizabeth* seem'd much affected 1583.
with this Letter, and dispatch'd Mr. *Beale*,
the Clerk of the Council to the Queen of
Scots, that in conjunction with the Duke of
Shrewsbury he might treat with her of her
freedom, and association with her Son in the
kingdom of *Scotland*. *This design had
been propos'd the year before, and almost
brought to a conclusion ; but upon the ba-
nishment of the Duke of *Lenox* it was laid
aside, and not mention'd again 'till now.
This y business was also brought before the
Council, and seriously debated there, and
the Majority inclin'd to set her free upon
the following conditions ;

“ That she and her Son should promise to
“ attempt nothing, which might be preju-
“ dicial to Queen *Elizabeth*, or the Realm
“ of *England*.

“ That she should acknowledge whatever
“ was done by her husband *Francis* the se-

^w Camden's *Hist. of Queen Elizabeth*, lib. III. p. 281.

^x Spotswood's *Hist. of the Church of Scotland*, lib.

VI. p. 324.

^y Camden's *Hist. of Queen Elizabeth*, lib. III. p. 281.
A brief History of the Life of Mary Queen of Scots,
&c. p. 8.

“ cond King of *France* against Queen *Eli-*
“ *zabeth* was done against her will, and
“ should utterly disclaim the same as unjust,
“ confirm the Treaty of *Edinburgh*, and
“ condemn all other unpleasing attempts e-
“ ver since, by ingenuously renouncing 'em.

“ That she should be bound to contrive
“ or act nothing directly or indirectly against
“ the government of the kingdom of *Eng-*
“ *land*, in either Ecclesiastical or Civil mat-
“ ters, but oppose all such as should any
“ ways attempt the same as publick Enc-
“ mies.

“ That she should forbear to claim any
“ right to the kingdom of *England* during
“ Queen *Elizabeth's* Life, and afterwards
“ be content to refer the title of succession
“ to the Judgment of the Estates of *Eng-*
“ *land*.

“ That, to the end there might be
“ no place left for prevarication, and that
“ she might not hereafter alledge, that she
“ condescended to these conditions being a
“ prisoner and constrain'd thereto, she should
“ not

“ not only swear to these conditions herself,
“ but should also procure the Estates of *Scot-*
“ *land* to confirm them by publick autho-
“ rity, and the King to ratify them by Oath
“ and Writing, and hostages to be given for
“ the performance of them.

As to her being join'd in the administration with her Son, the Council did not concern themselves with that affair, but left it to be determin'd by the King himself, and the Estates of *Scotland*. But these propositions were rejected by the *Scots*, and information given to Queen *Elizabeth*, that one *Holt* an *English* Jesuit was privately sent into *Scotland* to contrive the most proper expedient for invading *England*. ² The *French* Embassadors at *Edinburgh* labour'd earnestly to bring matters to an accommodation, but were so vehemently oppos'd by the Kirk-ministers, that finding all their endeavours to be in vain, they begg'd leave to be dismiss'd.

About this time the Duke of *Lenox* died

² Spotiswood's *Hist. of the Church of Scotland*, &c. lib. VI. p. 324.

at *Paris*; and 'twas ^a reported, he was taken off by poison. ^b Some few hours before he expir'd, he was visited by two Priests of the *Romish* Communion, who offer'd to perform the accustomed service upon the occasion. But the Duke rejected the proposal, and declar'd he would die *in the Faith of the Church of Scotland*, and preserve the Oath inviolate he had made to the King. This declaration his Majesty caus'd to be proclaim'd at *Edinburgh*, to convince the people how wrongfully he had been reproach'd by the uncharitable censures of some of the Ministers.

In the mean ^c while the King found an opportunity to make his escape from his keepers, and set himself at liberty, under

^a Additions aux Memoires de Castelnau, &c. p. 606.

^b *This fact could not possibly be unknown to Bishop Burnet. 'Tis related by Archbishop Spotiswood, whose History the Bishop seems frequently to have read over. And yet we are told by the Reverend Prelate, that Lenox was known to be a Papist, tho' he pretended he chang'd his Religion, and became in profession a Protestant. Hist. of his Own Times, p. 6. Is the hour of death a time for dissimulation? Or would a Papist have refus'd the assistance of a Romish Priest, in his departing agonies?*

^c Spotiswood's *Hist. of the Church of Scotland*, &c. lib. VI. p. 325, & seq. Camden's *Hist. of Queen Elizabeth*, lib. III. p. 283.

pretence of visiting his Uncle the Earl of *March*, who then resided at the Abbey of *St. Andrews*. After some refreshment he went to take a view of the Castle, and being enter'd within the walls, he order'd the gates to be shut, and his followers to be excluded. Some few days after, he went to *Edinburgh*, and publish'd a declaration, wherein, after having censur'd the attempt at *Ruthuen*, he offer'd pardon to the several actors and assistants in it, provided they would shew themselves penitent in due time, and by their future behaviour become fit objects of his Majesty's clemency. But of all the Conspirators the Earl of *Gowry* only submitted himself, and with this distinction, that he had offended not in *matter*, but in *form*.

The next year several practices of the 1584. *Romanists* were discovered against the life of Queen *Elizabeth*. ^d One *Sommerville*, a *Roman-Catholick* Gentleman, in a religious frenzy, came to Court with his sword drawn, and declar'd he would murder the Queen with his own hands. He was af-

^d *A brief Hist. of the Life of Mary Queen of Scots, &c.* p. 9.

terwards executed for this wild enterprize, as was also his Father-in-law, Mr. *Arden*, a Gentleman of *Warwickshire*; but the Priest who push'd 'em on to this excess of extravagance, was repriv'd. **Francis Throgmorton*, eldest Son to *John Throgmorton*, a Justice of Peace in *Cheshire*, was apprehended upon suspicion, by means of an intercepted letter to the Queen of *Scots*. He is said to have confess'd, that he was engaged in treasonable correspondencies with foreign Powers, who had combin'd to invade the Kingdom, and rescue the *Scotish* Queen; that the Duke of *Guise* was to have been head of the Expedition, and to land in *Suffex*; and that he had concerted measures with *Mendoza* the *Spanish* Embassador, how the principal persons among the *Roman-Catholicks*, upon the arrival of the foreign Forces, should raise Men in her Majesty's name, and join the Foreigners. *Mendoza* hereupon was declar'd to have forfeited the privilege of an Embassador, and order'd to depart the Kingdom. *Throgmorton* was hang'd, and being brought to

* Ibid. p. 9, 10. Camden's *Hist. of Queen Elizabeth*, lib. III. p. 294, 297.

the Gallows very resolutely denied, what twice before he had freely confess'd.

About this time Queen *Elizabeth*^f dispatch'd Sir *William Wade* to the Queen of *Scots*, to resume the Treaty, which had been begun about two years before, and was since interrupted. The *Scotish* Queen made solemn protestations of her sincerity in the affair, and promis'd to give her self up wholly to Queen *Elizabeth*, if she would grant her so much kindness as to bring the Treaty to a conclusion. And farther, she engaged to restore the *Scotish* Nobility, who upon the King's deliverance had fled into *England*, to his Majesty's favour; and that her Ministers in *France*, the Bishops of *Rosse* and *Glasgow*, should henceforward attempt nothing to the prejudice of *England*, nor hold any correspondence with the *English* Fugitives.

Queen *Elizabeth* express'd her satisfaction at this declaration, and let her know, by *Beale* and the Earl of *Shrewsbury*, that if she continued in the same resolution, Sir *Walter Mildmay* should shortly come to

^f Camden, *ibid.* p. 298, & seq. Additions aux Mémoires de Castelnau, &c. p. 627, & seq.

her, and treat with her about her liberty. In the mean time they were order'd to persuade her to intercede with her Son for the banish'd Lords, who had intended, they said, no harm against his Majesty's Person, but sought only to remove from about him the evil Counsellors who had seduc'd him. And lastly, they were requir'd to learn from her, as much as might be, the designs of the Duke of *Guise*. She answer'd, " That
" she much desir'd, that the Treaty might
" proceed; and this she earnestly begg'd of
" Queen *Elizabeth*, as of her elder Sister,
" to whom she tender'd all respect and ho-
" nour. That she had propounded nothing
" to *Wade*, but what was limited with
" conditions; and that he could say no
" other, whom she took to be an ingenu-
" ous honest man. That to the restoring
" of the fugitive *Scots*, her helping hand
" would be necessary, and thereof they
" should not fail, if she could certainly find
" that any advantage would come thereby
" to her and her Son, provided they would
" humbly submit themselves to the King,
" and become obedient to him; otherwise
" she would not appear for 'em, but assist
" her

“ her Son to bring ’em to their duty.” She did not deny, but “ that, when she found her strength to abate, she had committed her self and her Son to the protection of the Duke of *Guise*, her dearest kinsman : That she understood nothing of his attempts ; neither, if she did, would she discover it, unless she had good assurance given her of her deliverance ; for it were no point of wisdom, to forsake certain friends upon uncertain hopes.” She prayed, “ that she might be no more hardly dealt withal, being a free Princess, than Queen *Mary* dealt in times past with Queen *Elizabeth*, being then her subject and prisoner ; or than the *French* King dealt of late with the King of *Navarre*, his subject also, and up in arms against him.” She prayed also, “ that the Treaty might be completed, before any Commissioner were appointed in *Scotland* touching that matter. And whereas the Most Christian King had acknowledged her ordinary Ambassador and *Seaton*, who was sent from her Son into *France*, as Ambassadors from Princes of the same authority, and associate in the

“ Government, she offer’d the Queen the
 “ honour to publish this association of her
 “ and her Son in *Scotland*, and besought
 “ her that she would no way prejudice the
 “ same.” ^g But this negotiation soon came
 to nought, by the cunning of some ill-de-
 signing persons, who made it their business
 to blow up the coals of dissention, and
 foment the jealousies and fears, which had
 already taken too deep root in the breast of
 Queen *Elizabeth*. ^h These suspicions were
 increas’d by the discovery of new designs,
 wherein the Pope, the King of *Spain*, and
 the House of *Guise* were engaged for in-
 vading *England*. One *Creighton*, a *Scottish*
Jesuit, was taken by some *Netherland* Py-
 rates, as he was passing from the *Low-*
Countries into *Scotland*. To conceal his
 instructions, he tore several of his papers in
 pieces, and threw ’em over-board; but the
 wind in a miraculous manner (as *Creighton*
 confess’d) drove ’em back into the Ship,
 and cast ’em upon deck. The *Hollanders*,

^g Camden’s *Hist. of Queen Elizabeth*, &c. lib. III.
 p. 299.

^h Camden, *ibid.* *A brief Hist. of the Life of Mary*
Queen of Scots, &c. p. 10.

judging they might be of consequence, gather'd 'em carefully up, and sent 'em into *England*; where by the dexterity of Sir *William Wade* they were so join'd together again, that the whole Conspiracy was disclos'd.

Theⁱ Subjects of *England* being hereupon apprehensive of a foreign Invasion, and terrify'd with the report of certain dangerous designs carrying on against the Queen's life, which they esteem'd the sole bulwark of their religion and liberties, at the persuation of *Leicester*, voluntarily enter'd into an association for the safety of her Majesty, and bound themselves by most solemn vows, subscriptions and oaths, “ with their joint
“ and particular forces, during their lives,
“ to withstand, pursue, and offend, as well
“ by force of arms, as by all other means
“ of revenge, all manner of persons, of
“ whatsoever state they should be, and their
“ abettors, that should attempt any act, or
“ counsel or consent to any thing that should

ⁱ *Proceedings against Mary Queen of Scots, &c. in the State-Trials, p. 122. A brief Hist. of the Life of Mary Queen of Scots, &c. p. 10, 11. See also Camden's Hist. of Queen Elizabeth, lib. III. p. 299. and Append. Num. III.*

“ tend to the harm of her Majesty’s Royal
 “ Person, and never to desist from all man-
 “ ner of forcible pursuit against such per-
 “ sons, to the utter extermination of them,
 “ their counsellors, aiders and abettors.”
 And farther, “ they did not only bind them-
 “ selves both jointly and severally never to
 “ allow, accept, or favour any such pre-
 “ tended Successor, by whom, or for whom,
 “ any such detestable act should be attempted
 “ or committed, as unworthy of all Go-
 “ vernment in any Christian Realm or Ci-
 “ vil State; but also further vow’d and
 “ protested, in the presence of the eternal
 “ and everlasting God, to prosecute such
 “ person or persons to death, with their
 “ joint and particular forces, and to act the
 “ utmost revenge upon them, that by any
 “ means they or any of them could devise
 “ and do, or cause to be devis’d and done,
 “ for their utter overthrow and extirpa-
 “ tion.

The ^k Queen of *Scots* perceiving plainly,
 that this Association was form’d for her de-

^k Camden’s *Hist. of Queen Elizabeth*, lib. III. p. 300.

struction, and languishing under the calamities of so long imprisonment, and still fearing to be treated with more severity, made the following propositions to the Queen and Council, by her Secretary *Narwe*.
 “ That if her liberty might be granted her,
 “ and she might be assur’d of Queen *Elizabeth*’s sincere affection and love towards her, she would enter into a closer
 “ amity with her, officiously love and ob-
 “ serve her above all other Princes in
 “ Christendom, forget all by-past displea-
 “ sures, acknowledge her to be the true and
 “ rightful Queen of *England*, forbear to pre-
 “ tend or lay claim to the Crown of *England*
 “ during her life, attempt nothing against
 “ her directly or indirectly, flatly renounce
 “ the Title and Arms of *England*, which
 “ she had usurp’d by the command of King
 “ *Francis* her husband, as likewise the
 “ Pope’s Bull for her deposing; and farther,
 “ would enter into the aforesaid Association
 “ for the Queen’s security, and into a league
 “ defensive, so far as might stand with the
 “ antient league between *France* and *Scot-*
 “ *land*; provided that nothing should be
 “ done during the Queen’s life, or after
 “ her

“ her death, which might prejudice her, her
“ Son, and their Heirs in the Succession,
“ before such time as they were heard in an
“ Assembly of the Estates of *England*. That
“ for confirmation hereof, she herself would
“ stay a while in *England* as an hostage ; and
“ if she were permitted to depart out of *Eng-*
“ *land*, she would deliver other hostages.
“ Moreover, that she would alter nothing in
“ *Scotland*, provided she and her family might
“ be allow’d the exercise of their Religion.
“ That she would also bury in oblivion all
“ injuries done to her in *Scotland*, how-
“ beit upon the condition, that whatsoever
“ had been enacted to her disgrace and dis-
“ paragement might be repeal’d. That she
“ would recommend such Counsellors to
“ the King, as were well affected to peace
“ with *England* ; and reconcile unto him,
“ as far as lay in her power, such of his
“ Nobility as were fled, if they would sub-
“ missively acknowledge their fault, and
“ that Queen *Elizabeth* would pass her
“ word and promise to aid the King against
“ them, if at any time they should fly off
“ from their duty and obedience. That
“ she would do nothing about her Son’s
“ marriage

“ marriage without acquainting the Queen;
 “ and as she would do nothing without the
 “ advice of her Son, so she desir’d that her
 “ Son might be included in this Treaty,
 “ that so it might be more strongly and so-
 “ lidly confirm’d. She doubteth not but
 “ the King of *France* would be her surety
 “ in the business, and pass his word, toge-
 “ ther with the Princes of the house of
 “ *Lorraine*, for performance of covenants.”

To these she desir’d a speedy answer might be return’d, lest any accident should intervene to hinder the success. And farther as a proof of Queen *Elizabeth’s* love, she begg’d that somewhat more liberty might be allow’d her.

Queen *Elizabeth*¹ seem’d to be well satisfied with these propositions, and ’twas thought was then really minded to set her at liberty. But when the matter was just brought to a conclusion, ’twas prevented by the *Scots* of the contrary faction, who cried out, “ that there was no hopes of Queen
 “ *Elizabeth’s* safety, if she had her freedom;
 “ that both kingdoms were undone, if she

¹ Camden’s *Hist. of Queen Eliz.* &c. lib. III. p. 301.

“ were

“ were admitted to be partner with her Son
 “ in the kingdom; that the true Religion
 “ in *Britain* was ruin’d, if the exercise of
 “ the *Romish* Religion were allow’d her,
 “ tho’ it were but within the Court-walls.”
 And thus the business for that time miscarried.

1585. The ^m Master of *Gray* was now sent Embassador into *England* to demand the *Scottish* Fugitives, or if this could not be obtain’d, to have them remov’d farther off from the borders of *Scotland*. To recommend himself the more to Queen *Elizabeth’s* favour, he is charged with having made discoveries to the prejudice of the King and his Mother, and to have prevented the conditions, which the Queen of *Scots* had propos’d by her Secretary *Nawe*, from being accepted. ’Tis ⁿ certain the *Scottish* Queen was much dissatisfied with his conduct, and complain’d of it in a letter to her Son, who return’d her an answer in *French*, in vindi-

^m Spotiswood’s *Hist. of the Church of Scotland*, &c. lib. VI. p. 337, & seq. Camden’s *Hist. of Queen Elizabeth*, &c. lib. III. p. 302.

ⁿ Additions aux *Memoires de Castelnau*, &c. p. 637, &c. See also the Appendix, Num. IV.

cation of his Embassador, and declaring that he had done nothing but by his Commission. And farther, at *Gray's* persuasion, he rejected the scheme of the Association, and refus'd to acknowledge her by any other title than that of Queen-Mother. *Gray* was now master of his affections, and had suggested to him, that Queen *Elizabeth* could have no other view in favouring his Mother, than to do him a disservice: That were she possess'd of the Crown, her zeal for Religion would lead her to form an alliance with the House of *Austria*, or some other powerful family of the *Romish* persuasion; that his Majesty's principles would furnish an easy pretext for breaking through the Association, and thus he would not only be debarr'd of the administration at present, but his right of Succession would be endanger'd. This instance of the King's disregard quite vanquish'd the unfortunate Queen; she gave way to her sorrow and indignation, and shew'd by the bitterness of her complaints, that she then suffer'd more from her Son's ingratitude, than she afterwards felt from the Axe of the Executioner.

The

The °Queen of *Scots* enemies were now busily employed in working her destruction, and had already spread abroad suspicions, that a plot was laid to set her at liberty. She had been guarded by the Earl of *Shrewsbury* for fifteen years past with so much wariness and caution, that all attempts for her delivery, whilst under his custody, were render'd impracticable. That she might therefore the more readily fall into the snare, she had been remov'd towards the close of the last year from *Sheffield* to *Tutbury*, and committed to the care of Sir *Amyas Powlet* and Sir *Drue Drurie*. And here she is reported to have solicited the Pope and the King of *Spain* by Sir *Francis Inglefield* to hasten the execution of their designs, whatsoever might become of her. The Earl of *Leicester* is also said to have sent certain Assassins to take away her life, but Sir *Drue Drurie* detesting the action denied them access.

Whilst she lay at *Tutbury*, she was treated with all possible indignity and disrespect.

° Camden's *Hist. of Queen Eliz.* &c. lib. III. p. 303.

¶ Additions aux *Memoires de Castelnau*, &c. p. 651, 652.

Her whole apartment consisted of no more than two little rooms, most miserably furnish'd. She had not so much as a closet to retire to in private, and was denied the privilege of walking abroad. Her keepers envied her the reputation of any offices of charity or good nature, nor would suffer a few alms to be distributed in her name among the poor of the village, where she lay confin'd. A ^a poor fellow of a *Roman-Catholick* was imprison'd in the same house for the sake of his Religion, dragg'd every day to prayers thro' the Castle-yard against his conscience, and at last put to a violent death within sight of her Majesty's window. And while she was expos'd to these insolencies, a league was made with the Son, without any notice taken of the Mother. And to compleat her misery, the Association, which many private people had voluntarily enter'd into the year before, was now confirm'd by an Act of Parliament. ^r By virtue of this Statute, " twenty four or more of the Privy Council and the Lords of Parliament,

^a Martyre de la Royne d'Escoffe, &c. p. 653. Additions aux Memoires de Castelnau, &c. p. 648.

^r Append. Num. V.

“ to be deputed by the Queen’s Commis-
 “ sion, were impower’d to make inquisition
 “ after all such as should invade the king-
 “ dom, raise rebellion, or attempt to hurt
 “ or destroy the Queen’s person, for or by
 “ whomsoever employ’d that might lay claim
 “ to the Crown of *England*. And that he
 “ for whom or by whom they should at-
 “ tempt the same should be utterly unca-
 “ pable of the Crown of *England*, depriv’d
 “ wholly of all right and title to it, and
 “ prosecuted to death by all faithful sub-
 “ jects, if he should be judg’d by those four
 “ and twenty men to be guilty of such in-
 “ vasion, rebellion, or treasonable attempt,
 “ and by publick Proclamation so decla-
 “ red.

1586. The next year a very dangerous conspi-
 racy was discover’d against the life of Queen
Elizabeth. There were certain *Englishmen*
 in the seminary at *Rheims*, who paid so
 great a regard to the Papal Supremacy of
Pius V. as to believe the excommunicating
 Bull against Queen *Elizabeth* was dictated
 by the Holy Ghost, and that to die in the

^r Camden’s *Hist. of Queen Elizabeth*, lib. III. p. 336,
 & seq.

attempt

attempt of dispatching an excommunicated Prince was a meritorious action, equivalent to Martyrdom. This doctrine was so strongly press'd upon one *John Savage*, a man bold to attempt and resolute in execution, by Dr. *Gifford* and two other Priests, *Gilbert Gifford* and *Hodgeson*, that he readily undertook to assassinate the Queen. About *Easter* a seminary Priest, one *Ballard*, return'd into *France* from *England*, where he had been employ'd to search into the dispositions of the people towards an insurrection, in company with one *Maud*, a spy of *Walsingham's*, who found means to gain so far upon him, as to be trusted by him to a degree of intimacy. The design was to invade *England*, and set the Queen of *Scots* at liberty ; and the Pope, the King of *Spain*, the Duke of *Guise*, and the Prince of *Parma*, were to furnish supplies for the expedition. *Ballard* having given his oath to procure assistance with speed to join the Invaders, was sent again into *England* under the name of Captain *Foscu*, and communicated the business to *Anthony Babington*, a young Gentleman of *Derbyshire*, of family and fortune, by whose means several other per-

sons of distinction were engag'd to embark in the same enterprize. This *Babington* had been lately in *France*, and become intimate with *Morgan*, an Agent of the Queen of *Scots*, and her Embassador the Bishop of *Glasgow*; and since his return had been very serviceable in conveying letters to her in a private manner. He is also said to have wrote and receiv'd Letters from her Majesty upon the subject of the present conspiracy; tho' this correspondence was always denied by her. But when the scheme was just ready for execution, *Gifford*, either through a conscientious regard of his duty to the Queen, or terrified with fear, or being before 'corrupted with money, as appears most probable, reveals the whole affair to Secretary *Walsingham*, and offers him his service in the discovery of what farther should be transacted among the Conspirators. Hereupon *Ballard* and the rest were taken into custody, and upon examination confess'd what they knew.

¹ See the *Martyre de la Roynie d'Escoffe*, &c. p. 661, & seq. and the *Additions aux Memoires de Castelnau*, &c. p. 668.

In the mean ^v while the Queen of *Scots* was guarded by Sir *Amyas Powlett* with so much circumspection, that neither she nor her servants knew any thing of what was done, tho' 'twas now become the common subject of discourse all over the country. At last Sir *Thomas Gorges* was dispatch'd to *Chartelay*, where she then lay, to tell her the news, and was order'd to surprise her with it, as she had just mounted to ride a hunting. Her Majesty was not allow'd to return to her lodging, but under shew of honour was carried about from one Gentleman's house to another's. And at the same time her two Secretaries *Nawe* and *Curle* were apprehended, and committed to two several Keepers, that they might have no manner of conference with each other. They then broke open the doors of her chamber, seiz'd upon her papers, and sent the cabinets, wherein they were kept, seal'd with their own seals, to Queen *Elizabeth*. Her Secretaries *Nawe* and *Curle*, being examin'd about the letters, notes, and cyphers found in her cabinets, confess'd the Letters were in their

^v Camden's *Hist. of Queen Elizabeth*, &c. lib. III. P. 343, 345:

hand-writing, as dictated by the Queen in *French* to *Nawie*, and translated into *English* by *Curle*, and so wrote in cypher. They acknowledg'd the ^wreceipt of the letters from *Babington*, and that the answers given to 'em were wrote by her Majesty's command. But there is ^xreason to believe, they were brib'd to make this confession.

It was now debated in Council, what was fittest to be done with her. ^y Some were of opinion, that as she was no more than a confederate and not the author of the intended mischief, she ought only to be committed to a closer confinement. Others alledg'd, that as all the conspiracies against Queen *Elizabeth* were founded on the hopes of the *Scotish* Queen's succession, neither could her Majesty be safe, nor Religion secure, so long as she liv'd. But here their opinions differ'd in what manner she should be put to death. The Earl of *Leicester* ad-

^w See the Appendix, Num. VI.

^x Additions aux Memoires de Castelnau, &c. p. 668. Camden's *Hist. of Queen Eliz.* lib. III. p. 345, 386. La Mort de la Royned'Escosse, &c. p. 157, 194, & seq.

^y Spotiswood's *Hist. of the Church of Scotland*, &c. lib. VI. p. 350, & seq. Camden's *Hist. of Queen Elizabeth*, &c. lib. III. p. 345.

vis'd to dispatch her by poison, and privately sent a Court-Divine to *Walsingham* to preach him into consent. But *Walsingham* urg'd, that besides the injustice it was both dangerous and dishonourable to the Queen. They then consider'd by what Law they should proceed against her, whether by the Statute of the 25th year of *Edward III.* by which *he is made guilty of Treason, who shall compass or imagine the destruction of the King or Queen, raise war in his or her kingdom, or adhere to his or her enemies,* or by the late Act of the 27th of Queen *Elizabeth*, confirming the Association. At length it was determin'd to proceed by the late Act, as being purposely made on this occasion. And accordingly several of the Privy Council, and other *English* Noblemen, were by the Queen's Patent made Commissioners for her tryal, and the ²tenor of the Commission was, as follows :

“ **E** *LIZABETH*, by the grace of
 “ God, of *England, France, and*

² Camden's *Hist. of Queen Elizabeth*, &c. lib. III. p. 346. *Proceedings against Mary Queen of Scots*, &c. in the *State-Tryals*, p. 125.

“ *Ireland* Queen, Defender of the Faith,
 “ &c. To the most Reverend Father in
 “ Christ ^a *John* Archbishop of *Canterbury*,
 “ Primate and Metropolitan of all *England*,
 “ and one of our Privy Council ; and to
 “ our trusty and well-beloved Sir *Thomas*
 “ *Bromely* Knight, and Chancellour of *Eng-*
 “ *land*, and one of our Privy Council ; and
 “ also to our trusty and well-beloved *Wil-*
 “ *liam* Lord *Burghley*, Lord-Treasurer of
 “ *England*, another of our Privy Council ;
 “ and also to our most dear Cousin *William*
 “ Lord Marquis of *Winchester*, one of the
 “ Lords of the Parliament ; to our most
 “ dear Cousin *Edward* Earl of *Oxford*, great
 “ Chamberlain of *England*, another of the
 “ Lords of the Parliament ; and also to our
 “ most dear Cousin *Henry* Earl of *Derby*,
 “ another of our Privy Council ; and to our
 “ most dear Cousin *William* Earl of *Wor-*
 “ *cester*, another of the Lords of the Par-
 “ liament ; and to our most dear Cousin
 “ *Ambrose* Earl of *Warwick*, Master of our

^a From hence it appears, that in the opinion of Queen Elizabeth's Council and Judges, a Bishop's judging in capital causes was not held inconsistent either with his character, or the English Constitution. See Mr. Collier's *Ecclesiast. Hist.* Vol. II. p. 599, & seq.

“ Ordinance,

“ Ordnance, another of our Privy Council ;
“ and to our most dear Cousin *Henry* Earl
“ of *Pembroke*, another of the Lords of the
“ Parliament ; and also to our most dear
“ Cousin *Robert* Earl of *Leicester*, Master
“ of our Horse, another of our Privy Coun-
“ cil ; and to our most dear Cousin *Henry*
“ Earl of *Lincoln*, another of the Lords of
“ the Parliament ; and also to our most dear
“ Cousin *Antony* Viscount *Montague*, ano-
“ ther of the Lords of the Parliament :
“ And to our trusty and well-beloved *Charles*
“ Lord *Howard*, our High-Admiral of *Eng-*
“ *land*, another of our Privy Council ; and
“ to our trusty and well-beloved *Henry* Lord
“ of *Hunsdon*, our Lord-Chamberlain, an-
“ other of our Privy Council ; and also to
“ our trusty and well-beloved *Henry* Lord
“ *Abergavenny*, another of the Lords of the
“ Parliament ; and to our trusty and well-
“ beloved *Henry* Lord *Zouch*, another of
“ the Lords of the Parliament ; and also to
“ our trusty and well-beloved *Edward* Lord
“ *Morley*, another of the Lords of the Par-
“ liament ; and to our trusty and well-be-
“ loved *William* Lord *Cobham*, Lord War-
“ den of our Cinque-Ports, another of our
“ Privy

“ Privy Council ; and also to our trusty and
 “ well-beloved *Edward Lord Stafford*, an-
 “ other of the Lords of the Parliament ;
 “ and also to our trusty and well-beloved
 “ *Arthur Lord Grey of Wilton*, another of
 “ the Lords of the Parliament ; and also to
 “ our trusty and well - beloved *John Lord*
 “ *Lumley*, another of the Lords of the Par-
 “ liament ; and also to our trusty and well-
 “ beloved *John Lord Stourton*, another of
 “ the Lords of the Parliament ; and also to
 “ our trusty and well-beloved *William Lord*
 “ *Sandes*, another of the Lords of the Par-
 “ liament ; and also to our trusty and well-
 “ beloved *Henry Lord Wentworth*, another
 “ of the Lords of the Parliament ; to our
 “ trusty and well-beloved *Lewis Lord Mor-*
 “ *daunt*, another of the Lords of the Parlia-
 “ ment ; and to our trusty and well-beloved
 “ *John Lord St. John of Bletsbo*, another
 “ of the Lords of the Parliament ; and also
 “ to our trusty and well-beloved *Thomas*
 “ *Lord Buckhurst*, another of our Privy
 “ Council ; and to our trusty and well-be-
 “ loved *Henry Lord Compton*, another of
 “ the Lords of the Parliament ; and also to
 “ our trusty and well-beloved *Henry Lord*
 “ *Cheyney*,

“ *Cheyney*, another of the Lords of the
 “ Parliament ; To our trusty and beloved
 “ Sir *Francis Knolles* Knight, Treasurer of
 “ our household, another of our Privy Coun-
 “ cil ; and also to our trusty and well-be-
 “ loved Sir *James Crofts* Knight, Control-
 “ ler of our said household, another of our
 “ Privy Council ; and to our trusty and be-
 “ loved Sir *Christopher Hatton* Knight, our
 “ Vice-Chamberlain, another of our Privy
 “ Council ; and also to our trusty and be-
 “ loved Sir *Francis Walsingham* Knight, one
 “ of our Principal Secretaries, another of
 “ our Privy Council ; and also to our trusty
 “ and beloved *William Davison*, Esquire,
 “ another of our Principal Secretaries, and
 “ of our Privy Council ; and to our trusty
 “ and beloved Sir *Ralph Sadler* Knight,
 “ Chancellour of our Dutchy of *Lancaster*,
 “ another of our Privy Council ; and also
 “ to our trusty and beloved Sir *Walter Mild-*
 “ *may* Knight, Chancellour of our Exche-
 “ quer, another of our Privy Council ; and
 “ to our trusty and beloved Sir *Amias Pow-*
 “ *let* Knight, Captain of our Isle of *Jersey*,
 “ another of our Privy Council ; and to our
 “ trusty and beloved *John Wolley* Esquire,
 “ our

“ our Secretary for the *Latin* tongue, and
 “ ther of our Privy Council; and also to
 “ our trusty and beloved Sir *Christopher*
 “ *Wray*, Knight, Chief Justicer assign’d for
 “ the Pleas to be holden before us; and to
 “ our trusty and beloved Sir *Edmund An-*
 “ *derson* Knight, our Chief Justicer of the
 “ Bench; Sir *Roger Manwood* Knight, our
 “ Chief Baron of our Exchequer; Sir *Tho-*
 “ *mas Gaudy* Knight, one of our Justicers
 “ assigned for the Pleas to be holden be-
 “ fore us; and *William Perian*, one of
 “ our Justicers of the Bench, greeting, &c.

“ Whereas since the end of the Session
 “ of Parliament, namely, since the 1st day
 “ of *June*, in the twenty seventh Year of
 “ our Reign, divers things have been com-
 “ pass’d and imagin’d tending to the hurt
 “ of our Royal Person, as well by *Mary*
 “ Daughter and Heir of *James* the Fifth
 “ King of *Scots*, and commonly call’d
 “ Queen of *Scots*, and Dowager of *France*,
 “ pretending a Title to the Crown of this
 “ Realm of *England*, as by divers other
 “ persons *cum scientia* (in *English*, with
 “ the privity) of the said *Mary*, as we are
 “ given to understand; And whereas we
 do

“ do intend and resolve, that the aforesaid
 “ Act shall be in all and every part there-
 “ of duly and effectually put in execution,
 “ according to the tenor of the same, and
 “ that all Officers abovesaid, in the Act a-
 “ bovesaid mention’d, as afore is said, and
 “ the circumstances of the same, shall be
 “ examin’d, and sentence or judgment
 “ thereupon given, according to the tenor
 “ and effect of the said Act: To You, and
 “ the greater part of You, we do give full
 “ and absolute power, licence, and autho-
 “ rity, according to the tenor of the said
 “ Act, to examine all and singular matters
 “ compassed and imagined, tending to the
 “ hurt of our royal Person, as well by the
 “ aforesaid *Mary*, as by any other person
 “ or persons whatsoever *cum scientia* (in
 “ *English, with the privy*) of the said
 “ *Mary*, and all circumstances of the same,
 “ and all other offences whatsoever above-
 “ said, in the Act abovesaid (as afore is
 “ said) mention’d, and all circumstances of
 “ the same, and of every of them; And
 “ thereupon, according to the tenor of the
 “ Act aforesaid, to give sentence or judg-
 “ ment, as upon good proof the matter

“ shall appear unto you. And therefore
 “ we command you, that you do at such
 “ certain days and places, which You, or
 “ the greater part of You, shall for that
 “ purpose set and agree upon, diligently
 “ proceed upon the Premisses in form afore-
 “ said, &c.

On ^a the 11th of *October* the greatest part of the Commissioners came to *Fotheringay-Castle*, in the County of *Northampton*, where the Queen of *Scots* was then confin'd. And the next day they sent to her Sir *Walter Mildmay*, *Powlet*, and *Barker* a publick Notary, who deliver'd Queen *Elizabeth's* letters into her hands. She read 'em with a compos'd countenance, and then address'd her self to 'em to this effect; “ I
 “ am griev'd the Queen, my most dear
 “ Sister, should be misinform'd of me, and

^b *The following account of the Queen of Scots behaviour at her Tryal was extracted by Mr. Camden, out of the Commentaries and Memorials of Edward Barker, principal Register to Queen Elizabeth, Thomas Wheeler, publick Notary, Register of the Audience of Canterbury, and other Persons of credit, who were present. See his Hist. of Queen Elizabeth, &c. p. 348, 361. and the Proceedings against Mary Queen of Scots, &c. in the State-Trials, which are taken almost word for word, from Mr. Camden's Collections.*

“ that

“ that after so many years confinement,
 “ and a lameness contracted in my limbs,
 “ I should be so wholly neglected by her,
 “ notwithstanding the many reasonable con-
 “ ditions I have offer’d for my liberty. I
 “ have given her full and faithful notice of
 “ several dangers which threatned her, and
 “ yet have found no credit with her, but
 “ have been always slighted and despis’d,
 “ tho’ so nearly allied to her in blood.
 “ When the Association was entred into,
 “ and the confirming Act of Parliament
 “ made upon it, I foresaw that whatever
 “ dangers should arise either from Princes
 “ abroad, or ill-dispos’d People at home,
 “ or for the sake of Religion, the whole
 “ blame would be thrown upon me, who
 “ have so many enemies at Court. And
 “ certainly I have reason to take it amiss
 “ that a league should so lately be made
 “ with my Son, without my knowledge or
 “ consent. But to pass by these matters,
 “ and come to the letter in hand : It seems
 “ strange to me, that the Queen should
 “ command me, as a subject, to submit to
 “ a Tryal. I am an absolute Queen, and
 “ will do nothing which may be prejudi-
 “ cial

“ cial either to Royal Majesty, or to other
 “ Princes of my rank and quality, or to
 “ my Son. My mind is not yet so far de-
 “ jected, nor will I sink under the present
 “ calamity. I refer my self to what I have
 “ formerly protested before the now Chan-
 “ cellour *Bromley*, and the Lord *La-Ware*.
 “ The Laws and Statutes of *England* are
 “ unknown to me; I am void of Coun-
 “ sellors, and cannot tell who shall be my
 “ Peers. My notes and papers are taken
 “ from me, and no one dares appear to be
 “ my Advocate. I have committed nothing
 “ against the Queen, have stirr’d up no man
 “ against her, and am not to be charg’d
 “ but from my own words or writings,
 “ which I am sure can’t be produc’d against
 “ me. Yet I cannot deny but I have re-
 “ commended my self and my condition to
 “ foreign Princes.”

The next day *Powlet* and *Barker* return’d
 to her from the Commissioners, and told
 her that her answer was put in writing,
 and desir’d to know whether she would
 still own and insist upon it. When she had
 heard it read, she acknowledg’d that her
 senti-

Sentiments were truly express'd in it, and
 were such as she would still maintain.
 " But this, said she, I had quite forgotten,
 " and would now have added. The Queen
 " says, I am subject to the laws of *Eng-*
 " *land*, and to be try'd and judg'd by 'em,
 " because I have liv'd under the protection
 " of 'em. But to this I answer, that I
 " came into *England* to demand her aid
 " and assistance, and have ever since been
 " detain'd a prisoner, so that I could not
 " enjoy the protection of the laws of *Eng-*
 " *land*; nor could I ever yet understand
 " what manner of laws they were.

In the afternoon there were sent to her
 certain Deputies from the Commissioners,
 to persuade her to a compliance. The
 Lord Chancellor and the Lord Treasurer
 justified their authority by their Patent and
 Commission, told her that neither her im-
 prisonment nor prerogative could exempt
 her from subjection to the laws in this
 kingdom, and threatned, if she refus'd to
 answer to what should be objected, to pro-
 ceed against her by authority of law, al-
 tho' she were absent. She renew'd her for-
 mer declaration, told 'em, " she was no

“ subject, and would rather die a thousand
 “ times than dishonour the Dignity of the
 “ Royal Majesty by such an acknowledg-
 “ ment; that however she was willing to
 “ answer all things in a free and full Par-
 “ liament; and that as for this meeting, it
 “ might probably be devis’d against her,
 “ who was already prejudg’d to die, to give
 “ some legal shew and colour to their pro-
 “ ceedings; and therefore she desir’d they
 “ would look to their consciences, and re-
 “ member that the theatre of the World
 “ was wider than the Kingdom of *England*.
 She then began to complain of her hard
 usage, and the injuries which had been of-
 fer’d her. But she was interrupted by the
 Lord Treasurer, who reminded her of Queen
Elizabeth’s kindness, and the favours she
 had receiv’d; but as she seem’d insensible of
 any benevolent inclinations that had been
 shewn towards her, they left her and re-
 turn’d to the rest of the Commissioners.

In a few hours after they sent her the
 contents of the Commission, and the Com-
 missioners names, by *Powlet* and the Sol-
 licitor, to let her see they design’d to pro-
 ceed by equity and reason. She made no
 excep-

exceptions against the Commissioners, but objected strongly to the late law, upon which their Commission was founded, as unjust and unprecedented, and purposely contriv'd to ruin her. She then requir'd to have her former Protestation admitted and allow'd; but this was refus'd as prejudicial to the Crown of *England*.

After some time spent in questions concerning their authority and the nature of the law, she again broke out into a justification of her self from the imputations which were laid to her charge, complain'd of the several injuries and indignities which had been heap'd upon her, and made strong asseverations of the kindness and good-will she had bore towards Queen *Elizabeth*. But here she was interrupted again, and desir'd to speak plainly, whether she would answer before the Commissioners or no? She replied, " that the authority of their
" Commission was founded on a law which
" was made to insnare her; that she could
" not away with the Queen's laws, which
" she had good reason to suspect; that she
" was heart-whole still, and would not
" derogate from the honour of her An-

“cestors the Kings of *Scotland*, by own-
 “ing her self a subject to the Crown of
 “*England*. Yet she refused not to an-
 “swer, so she might not be reduced to
 “the rank of a subject. But she had ra-
 “ther perish utterly than answer as a cri-
 “minal person.”

To this *Hatton*, the Vice-Chamberlain,
 replied, “You are accus’d, but not con-
 “demn’d, to have conspir’d the destruction
 “of our Lady and anointed Queen. You
 “say you are a Queen; be it so: But in
 “such a Crime as this the Royal Dignity
 “it self is not exempt from answering,
 “either by the Civil or Canon Law, or
 “by the Law of Nature and Nations. For
 “if such offences might pass unpunish’d, all
 “justice must fall to the ground. If you’re
 “innocent, you wrong your reputation in
 “avoiding tryal. You protest you are in-
 “nocent, but Queen *Elizabeth* thinks o-
 “therwise, and has reason to think so, to
 “her great grief and sorrow of heart. She
 “has appointed you honourable Commis-
 “sioners, men of prudence and integrity,
 “to examine your innocence, who are rea-
 “dy to hear you with equity and favour,
 “and

“ and will rejoice to find you clear from
 “ the crimes you are charged with. Believe
 “ me, the Queen will rejoice, who told me
 “ when I left her, that nothing ever griev’d
 “ her more, than that you should be charg’d
 “ with such misdemeanours. Wherefore
 “ lay aside the unavailing claim of privi-
 “ ledge from your Royal Character, which
 “ now can be of no use to you; appear in
 “ judgment, and shew you are innocent;
 “ lest by avoiding tryal you draw upon your
 “ self a suspicion, and cast an eternal blot
 “ upon your reputation.”

“ I refuse not, said she, to answer in a
 “ full Parliament, before the Estates of the
 “ Realm lawfully assembled, so as I may
 “ be declar’d the next in succession; or be-
 “ fore the Queen and her Council, if my
 “ Protestation may be admitted, and I be
 “ acknowledg’d the next of kin to her Ma-
 “ jesty. To the judgment of my adver-
 “ saries, with whom I know the defence of
 “ my innocence will avail nothing, I will
 “ not submit.”

The Lord Chancellor ask’d her, whether
 she would answer, if her Protestation were
 admitted? “ I will never, said she, submit

“ my self to the late Law mention’d in the
 “ Commission.” Upon which the Lord
 “ Treasurer replied, “ We will then pro-
 “ ceed in the Cause to morrow, tho’ you
 “ be absent and contumacious.” Well,
 said she, “ examine your consciences, and
 “ have regard to your honour, and may
 “ God reward you and yours according to
 “ your judgment upon me.”

The next day she sent for some of the Commissioners, and desir’d her Protestation might be allow’d. The Treasurer askt her if she would appear at her Tryal, provided her Protestation was entred in writing, and not admitted? To this she at last assented, but with much difficulty; for tho’ she was very desirous to purge her self from the crimes imputed to her, yet she fear’d, she said, to derogate from the honour of her Successors or Predecessors.

The Commissioners assembled in the Presence-Chamber. At the upper end was a chair of state for Queen *Elizabeth*, plac’d under a canopy; below it, and at some distance over-against it, was a chair for the Queen of *Scots*; and the Commissioners and their Assistants sat on benches plac’d

I

towards

towards the wall on each side of the room. When she was entred, and had taken her seat, the Lord Chancellor *Bromley*, addressing himself to her, spake briefly to this effect, “ The most serene Queen *Elizabeth* “ being inform’d (to her great grief and “ trouble of mind) that you have conspir’d “ the destruction of her person, and the “ Realm of *England*, and the subversion “ of Religion, that she might not seem to “ neglect God, her self and people, and “ void of all malicious purpose, has accord- “ ing to her place and duty, appointed “ these Commissioners to hear the matters “ which shall be objected against you, and “ how you can vindicate your self from “ the charge, and make your innocence ap- “ pear to the world.”

She then rose up and said, “ that she “ came into *England* to demand the aid “ which had been promis’d her, and had “ ever since been detain’d a prisoner.” She protested, “ she was no subject to the “ Queen of *England*, but a free and abso- “ lute Queen, not to be constrain’d to ap- “ pear before Commissioners, or any other “ Judge but God alone, the Judge of Prin-

“ ces: That she would not derogate from
 “ her own Royal Majesty, the King of *Scots*
 “ her Son, her Successors, or other abso-
 “ lute Princes; but yet she chose now to
 “ appear in person, to wipe off the crimes
 “ which had been charg’d upon her.”

The Chancellor would not acknowledge that any aid had been promis’d her, and told her, her Protestation was of no efficacy, since whoever should offend against the laws of *England* in *England*, was subject to be tryed by the *English* laws; and therefore her Protestation could not be admitted, as it was made in derogation to the laws and Queen of *England*. It was however order’d by the Commissioners, that both her Protestation and the Chancellor’s Reply should be recorded.

The Commission was then openly read, and as it was founded upon the late Act already mention’d, she resolutely offered her Protestation against the said Act, as being made of purpose against her self; and appeal’d for the truth of her assertion to their own consciences. But she was told by the Treasurer, that the validity of laws did not depend upon their antiquity; that tho’ lately
 mad

made they were equally binding, and she ought not to speak against 'em; and that whatever Protestations or Appeals she should think fit to make, the Commissioners were resolv'd to proceed against her by that law. At last she said, she was ready to hear and answer concerning any fact against Queen *Elizabeth*.

Gawdy, the Queen's Sergeant, now open'd the Statute at large, and affirm'd she had offended against it; and after an historical account of *Babington's* conspiracy, concluded, that *she knew of it, approv'd it, assented to it, promis'd her assistance, and shew'd the way and means for effecting it*. To make good this charge, it was urg'd out of *Babington's* confession, that letters had pass'd betwixt her and *Babington*. And then the copies of *Babington's* letters to her, and her's to *Babington*, wherein the scheme of the whole conspiracy was contain'd, were produced and read. And the allegation was supported by the testimonies of *Savage* and *Ballard*, who had confess'd, that *Babington* communicated to them several letters, which he had receiv'd from the Queen of *Scots*.

But

But to this she answer'd, " That she knew
 " not *Babington*, nor ever receiv'd any let-
 " ters from him, nor wrote any to him;
 " that she had been very angry with some
 " who had secretly given her advice con-
 " cerning the invading of *England*, and
 " bid 'em beware what they did; that she
 " had us'd her best endeavours indeed for
 " the recovery of her liberty, as nature it-
 " self dictated and allowed, and to this
 " purpose had solicited the assistance of
 " her friends; but that for her part, she
 " would not purchase the kingdom with the
 " death of the meanest man, much less of
 " the Queen; that many attempted dan-
 " gerous designs without her knowledge, and
 " 'twas an easy matter to counterfeit the
 " Cyphers and Characters of others;" and
 concluded with strong asseverations, " That
 " she never would make shipwrack of her
 " soul by conspiring the death of her dearest
 " sister.

They next press'd her with the testimonies
 of her Secretaries *Nawe* and *Curle*, which
 agreed together, and confirm'd the letters
 and answers between her and *Babington*.
 But these she denied to be competent wit-
 nesses

nesses against her. “ It might be, she said,
“ that they might insert something in her
“ letters, which she never dictated to ’em ;
“ and it might also be, that such letters
“ might come to their hands, which she
“ never saw. She urg’d, “ that the Majesty
“ and safety of Princes must fall to the
“ ground, if they were to depend upon the
“ writings and testimonies of Secretaries.
“ And if they had written any thing to the
“ prejudice of the Queen her Sister, they
“ had written it without her knowledge,
“ and ought to bear the punishment of
“ their inconsiderate boldness. Sure she
“ was, if they were there present, they would
“ clear her of all blame in this case. And
“ if her notes were in her hands, she could
“ answer more particularly to what was ob-
“ jected.

Afterwards they produc’d the heads of
several letters address’d to the *Spanish* Em-
bassador *Bernardine de Mendoza*, Sir *Fran-*
cis Inglefield, and the Lord *Paget*, about
foreign assistance. “ But these, she said,
“ bore no relation to the destruction of the
“ Queen ; and if Foreigners endeavour’d to
“ set her at liberty, it was not to be laid to
“ her

“ her charge, who at several times had let
 “ the Queen know, that she would seek to
 “ procure her releasement.

Being again press'd with *Babington's* letters, and told by the Lord-Treasurer *Burghley*, that circumstances made it appear what things she had dealt with *Babington* about, she said, “ That circumstances might be
 “ prov'd, but never the fact ; that her integrity depended not upon the credit and
 “ memory of her Secretaries, and if they
 “ had confess'd any thing out of fear of punishment, or hope of reward, it ought
 “ not to be admitted ; and they would
 “ never have confess'd such things against
 “ her, but with a view to their own advantage.” And here again she desir'd, that her Papers and Secretaries might be produced. She farther added, “ That her Secretaries, having acted contrary to their duty and allegiance sworn to her, deserv'd
 “ no credit ; for they who had once forsworn themselves, tho' their future oaths
 “ and protestations were never so serious, ought not to be believ'd. And possibly
 “ they only confess'd these things to save themselves, upon a supposition they could
 “ do

“ do her no harm by confessing, who as a
“ Queen, they thought, would be treated in
“ a more favourable manner.

Some short passages were then read out of her Letters to *Mendoza*, which *Curle* had own'd that he had written in Cypher, from whence she was charg'd with a design to convey her right in the kingdom to the King of *Spain*. To this she replied, “ That
“ being a close prisoner, oppress'd with cares,
“ and depriv'd of all hopes of liberty, and
“ daily declining thro' age and indisposition,
“ she had been advis'd to settle the succession to the Crown of *England* upon the
“ *Spaniard*, or some *English Roman-Catholic*;
“ that a book had been sent her to
“ justify the King of *Spain's* Title; and that
“ she had displeas'd, by refusing her approbation. But now, says she, all my hopes
“ in *England* being desperate, I am fully resolv'd not to reject foreign help.

The Lord-Treasurer having observ'd upon this occasion, that the kingdom of *England* could not be conveyed, but was to descend by right of succession, demanded of her, if she had any thing farther to urge. She requir'd to be heard in a full Parliament, or

that she might speak with the Queen and Council in person. And rising up with great Majesty of countenance she had some private conference with the Lord-Treasurer, *Hatton*, *Walsingham*, and the Earl of *Warwick* by themselves. And then the Court was adjourn'd 'till the 25th of *October* to the *Star-Chamber* at *Westminster*.

On the 'said 25th of *October* the Commissioners met, and *Nawe* and *Curle* having again affirm'd upon Oath, that the letters and copies of letters before mention'd were genuine and true, sentence was pronounc'd against the Queen of *Scots*, and recorded in these words, " By their unanimous assents and consents *the Commissioners* do pronounce and deliver this their sentence and judgment at the day and place last above recited, and say, That since the conclusion of the aforesaid Session of Parliament in the Commission aforesaid specified, namely, since the aforesaid first day of *June* in the 27th year aforesaid, and before the date of the said

^c Camden's *Hist. of Queen Elizabeth*, lib. III. p. 361. *Proceedings against Mary Queen of Scots, &c. in the State-Trials*, p. 131.

Commission, divers matters have been compass'd and imagin'd within this realm of *England*, by *Anthony Babington* and others *cum scientia*, in *English*, with the privy of the said *Mary*, pretending a title to the Crown of this realm of *England*, tending to the hurt, death, and destruction of the Royal person of our said Lady the Queen. And also, that since the aforesaid first day of *June* in the 27th year aforesaid, and before the date of the Commission aforesaid, the aforesaid *Mary*, pretending a title to the Crown of this realm of *England*, hath compass'd and imagin'd within this realm of *England* divers matters tending to the hurt, death, and destruction of the Royal person of our Sovereign Lady the Queen; contrary to the form of the Statute in the Commission aforesaid specified." And the same day a Declaration was publish'd by the Commissioners and Judges, " That the said sentence did not derogate from the title or honour of *James* King of *Scots*, but that he stood in the same place, degree, and right, as tho' the said sentence had never been pronounced.

Some

Some ^dfew days after a Parliament was held at *Westminster*, and the sentence against the Queen of *Scots* confirm'd by the unanimous consent of both houses. A ^esupplication was then presented to the Queen by the Chancellor in the Parliament's name, wherein they besought her Majesty, that as well in respect of the continuance of the true Religion among them, and the safety of her most Royal person and estate, as in regard of the preservation and defence of her faithful subjects of the whole commonweal of the realm of *England*, she would be pleas'd to take speedy order, that the declaration of the said sentence should be publish'd by Proclamation, and directions given thereupon for farther proceedings against the *Scotish* Queen, according to the effect and meaning of the late Statute, made in the 27th year of her Majesty's reign. And at the same time ^fSerjeant *Puckering*, the Speak-

^d Camden's *Hist. of Queen Elizabeth*, &c. lib. III. p. 562, & seq.

^e *Proceedings against Mary Queen of Scots*, &c. p. 132, & seq. Romoaldi Scoti summar. rationum, &c. p. 1.

^f Romoaldi Scoti summar. rationum, &c. p. 10. *A brief Hist. of the Life of Mary Queen of Scots*, &c. p. 18. See the Append. Num. VII.

er of the House of Commons, represented to her Majesty in the name of the house the many apparent and imminent dangers arising to her Royal person and her realm from the *Scottish* Queen and her adherents, unless a remedy were speedily provided. Queen *Elizabeth* heard them with favour and attention, and express'd her thankfulness for their respect and affection towards her; desir'd 'em not to look for any present resolution from her, it being her custom in matters of less consequence to deliberate long upon what was but once to be resolv'd; besought God to direct her heart, that she might see clearly what was best for the good of his Church, the prosperity of the Commonwealth, and their safety; and bad 'em expect whatever the best of subjects might expect at the hand of the best of Princes.

On the twelfth day after, ^hhaving consider'd the matter thoroughly with herself, she sent the Lord-Chancellour to the house of Lords, and *Puckering* to the Commons, desiring that they would maturely weigh the

^g Camden's *Hist. of Queen Elizabeth*, lib. III. p. 365. *Proceedings against Mary Queen of Scots*, &c. p. 134. Romoaldi Scoti summar. rationum, &c. p. 35, & seq.

^h Ibid.

business a second time, and find out some better expedient, whereby the life of the Queen of *Scots* might be sav'd, and her own security provided for. After long deliberationⁱ the Chancellour return'd with the same determination as before, and ^k*Puckering* presented her Majesty with the following reasons, confirming their former resolution.

“ That if her Majesty could be safe without taking away the life of the *Scotish* Queen, the same were most probably by one of these means following, *viz.*

I. “ That haply she might be *reclaim'd*, and become a *Repentant-Convert*, assigning her Majesty's great mercy and favours in remitting her heinous offences, and by her *Loyalty* hereafter perform the fruits of such Conversion.

II. “ Or else, by a more *streight Guard* be so kept, as there should be no fear of the like attempts hereafter.

III. “ Or that good assurance might be given by *Oath, Bonds, or Hostages*, as cau-

ⁱ Romoaldi Scoti summar. rationum, &c. p. 36.

^k *A brief History of the Life of Mary Queen of Scots*, &c. p. 20, & seq. Romoaldi Scoti summar. rationum, &c. p. 38.

“ tions of her good and *loyal* demeanour
“ from henceforth.

IV. “ Or lastly, by *Banishment* the realm
“ might be voided of her person; and there-
“ by the perils farther remov’d, that grow
“ to her Majesty by her presence.

“ All which being duly ponder’d, did yet
“ appear so light in all their judgments, that
“ they durst not advise any security to rest
“ in any, no not in all of them.

I. “ Touching her Conversion, it was
“ consider’d, that if piety or duty could
“ have restrain’d her from such heinous at-
“ tempts, there was cause enough ministred
“ unto her on her Majesty’s behalf, when
“ she not only protected her against the vi-
“ olence of her own subjects, who pursued
“ her to death by justice, but covered her
“ honour, when the same by publick fame
“ was touch’d, and very heinous and capi-
“ tal crimes objected against her before cer-
“ tain Commissary Delegates assign’d to ex-
“ amine the same; and spar’d her life, when
“ for her former conspiracies, and confede-
“ racies with the Northern Rebels, Her
“ Highness was with great instance press’d

“ by both Houses in the fourteenth year of
 “ her Majesty’s reign, to do like justice up-
 “ on her, as is now desir’d, and as her trea-
 “ sonable practices then had most justly de-
 “ served. And whereas the Penalty of this
 “ Act, sufficiently notified unto her, should
 “ have terrified her from so wicked attempts,
 “ she hath nevertheless insisted in her former
 “ practices, as a person obdurate in malice
 “ against her Majesty, and irrecoverable; so
 “ as there was no probable hopes of any
 “ Conversion, but rather great doubt and
 “ fear of relapse, forasmuch as she stood
 “ obstinately in the denial of matter most
 “ evidently prov’d, and most justly senten-
 “ ced against her, and was not enter’d into
 “ the first part of repentance, the recogni-
 “ tion of her offence, and so much the far-
 “ ther off from the true fruits, which should
 “ accompany the same.

2. “ As for a *surer guard*, and more strait
 “ imprisonment, it was resolv’d, that there
 “ was no security therein, nor yet in the
 “ *two other* means propounded of *Bonds*
 “ and *Hostages*: Forasmuch as the same
 “ means that should be practis’d to take her
 “ Majesty’s life away (which God forbid)
 “ would

“ would aptly serve both for the delivery
 “ of her Person, and release of the Bonds
 “ and Hostages, that should be given for
 “ cautions in that behalf; which being un-
 “ happily atchiev’d, and to our irreparable
 “ loss, who should sue the Bonds or detain
 “ the Hostages? Or being detain’d, what
 “ proportion was there in Bonds or Hosta-
 “ ges whatsoever, to countervail the value
 “ of so precious and inestimable a jewel, as
 “ her Majesty is to this realm?

3. “ But she will solemnly *vow* and take
 “ an *Oath*, that she will not attempt any
 “ thing to the hurt of her Majesty’s person.
 “ She hath already sundry times falsified her
 “ Word, her Writing, and her Oath, and
 “ holdeth it for an Article of Religion, that
 “ Faith is not to be holden with Hereticks,
 “ of which sort she accounteth your Ma-
 “ jesty and all the professors of the Gospel
 “ to be; and therefore have we little rea-
 “ son to trust her in that, whereof she ma-
 “ keth so small a conscience.

4. “ As for *Banishment*, that were a step
 “ *à malo ad pejus*, to set her at liberty; a
 “ thing so greatly desir’d and thirsted for by
 “ her adherents, and by some Princes her

“ Allies, who sought her enlargement chiefly
 “ to make her a *Head* to set up against her
 “ Majesty in time of Invasion.

“ And therefore her Majesty’s death being
 “ so earnestly sought for advancement of
 “ this Competitor, her Highness could not
 “ remain in quietness or security, if the *Scotish*
 “ Queen should longer continue her Life.”

These ¹ reasons the Chancellour and *Puck-*
ering farther press’d, by urging, “ That it
 “ would be injustice in her Majesty to de-
 “ ny the execution of the law to any of her
 “ subjects, who should demand it, and much
 “ more to the whole body of the People,
 “ who with one voice and heart thus hum-
 “ bly sued for it.

Hereupon the Queen made a long dis-
 course upon the concern this business had
 been to her, of her aversion to cruelty and
 violence, and the regard she had always
 bore towards God and Religion: She ac-
 knowledg’d their counsels and consultations
 were so careful and profitable for the prefer-
 vation of her life, and proceeded from minds

¹ Camden’s *Hist. of Queen Elizabeth*, lib. III. p. 366.
Proceedings against Mary Queen of Scots, &c. p. 134.

so entirely devoted to her, that she would strive by her deportment towards them to make them think their labour was not ill-bestow'd. " And now as to your petition, " ^msaid she, I pray you for this present to " content yourself with an Answer without Answer. Your Judgment I condemn " not, neither do I mistake your Reasons. " but pray you to accept my thankfulness, " excuse my doubtfulness, and take in good " part my Answer answerless. If I should " say I would not do what you request, I " might say perhaps more than I think. " And if I should say I would do it, I " might plunge myself into peril, whom " you labour to preserve ; which in your " wisdoms and discretions ye would not " that I should, if ye consider the circumstances of place, time, and the manners and " conditions of Men." Upon this Answer the Assembly of the Estates was prorogued.

The ⁿ Lord *Buckhurst* and *Beale* were then dispatch'd to the Queen of *Scots*, to let her know that sentence was pronounced

^m Ibid. p. 368, and p. 165.

ⁿ Lettre de la Roynne d'Escoffe, &c. dans le Martyre de Marie Stuart, p. 677, & seq.

against her, that it was confirm'd by authority of Parliament as just and lawful, and that the Estates had earnestly sued for the execution of it, as a necessary expedient for the safety of the Queen's life, and the preservation of the establish'd Religion. She receiv'd the message with great expressions of pleasure and satisfaction, and thank'd God and them for the honour they had given her in judging her to be an instrument for the restoring of Religion in this Island. There were sent along with them a Bishop and a Dean, to direct her conscience, and administer consolation and advice in this last extremity. But she wholly rejected their assistance, and desir'd a *Roman*-Catholick Priest might be allow'd her, that she might partake of the Holy Sacraments before her departure. They told her, that do what she would, she could neither die a Saint nor a Martyr; since she was condemn'd for an attempt to have murder'd their Queen, and dispossess her of her throne. She answer'd, " She was not so presuming to aspire to the
" dignity either of holiness or martyrdom;
" but tho' by God's permission, and not of
" right, as she was an absolute Queen, they
" had

“ had power to kill the body, yet they had
“ no power over her soul, nor should they
“ ever take from her the confidence she had,
“ that thro’ God’s mercy, who died for her,
“ the oblation she made of her life in de-
“ fence of his Church would be accepted
“ of him; out of which Church she would
“ never desire to bear rule over any worldly
“ kingdom here, at the expence of an eter-
“ nal Crown ; and she hop’d her Saviour
“ would respect her sufferings and the per-
“ secutions she had felt both in body and
“ mind, and overlook the offences she had
“ committed against him. But they had
“ wrong’d her in charging her with having
“ devis’d, counsell’d, or commanded the
“ death of Queen *Elizabeth* ; she had ne-
“ ver done it ; and for her part would not
“ have suffer’d the least injury to have been
“ offer’d to her person.” A few days after
Sir *Amyas Powlet* and Sir *Drue Drury* re-
turn’d to her, and told her, that as she had
refus’d to make any submission or acknow-
ledgment of her faults against Queen *Eli-
zabeth*, they had orders from her Majesty
to take down her Canopy, and disrobe her
of the Regal ornaments. She made an-
swer,

fwer, “ That God of his grace had call’d her
 “ to that high dignity ; that ſhe was an an-
 “ ointed and ſacred Queen ; that of him
 “ alone ſhe held her honour, and would
 “ reſtore it into his hands alone together
 “ with her ſoul ; that ſhe did not reſpect
 “ their Queen as her Superiour, nor her
 “ Council and Heretick Aſſembly as her
 “ Judges, and that in deſpight of them all
 “ ſhe would die a Queen ; — that the Kings
 “ of *England* had oft been put to death by
 “ their Subjects, and ’twas no wonder that
 “ ſhe ſhould feel the effects of their cruelty,
 “ who was deſcended from them.

The °publication of the ſentence was de-
 lay’d for ſome time at the inſtance of *L’Au-*
beſpine the *French* Embaſſadour, but in the
 month of *December* ’twas openly proclaim-
 ed throughout the kingdom. And when
 notice was given of it to the Queen of
Scots, ſhe was ſo far from betraying any
 marks of a diſorder’d mind, that with a
 chearful countenance and compos’d behavi-
 our ſhe liſt up her hands and eyes to hea-
 ven, and gave thanks to God. And having
 obtain’d leave of her Keeper to write, on

° Camden’s *Hiſt. of Queen Elizabeth*, lib. III. p. 369.
 the

the 19th of *December* she p^sent a Letter to Queen *Elizabeth*, wherein she declar'd, " Her mind was free from malice or any " unbenevolent disposition towards her ; " she thank'd God for her sentence of con- " demnation, and that he was now pleas'd " to put an end to her troublesome pil- " grimage ; she begg'd she might be behold- " en to none but herself for the three fol- " lowing requests ; 1. That her body might " be convey'd into *France*, or some other " Country, where the *Romish* Religion was " profess'd, that she might have the benefit " of a Catholick Funeral. 2. That she might " not be privately put to death, and that " her servants and others might be allow'd " to be present, as Witnesses that she died " in the faith of Christ, and the Commu- " nion of the Church. And 3. That her " servants might have liberty to leave the " kingdom without any disturbance, and qui- " etly enjoy the legacies she had bequeath'd " 'em. These things she besought her to " grant in the name of Christ, by their near

^p Ibid. Martyre de Marie Stuart, Royne d'Escoffe, &c. p. 682, & seq. L'Histoire de l'Incomparable Reyne Marie Stuart, &c. par Caussin.

“ relation, by the memory of *Henry VII.*
 “ their common Ancestor, and by her own
 “ Royal Dignity.” She added, “ that if her
 “ Letters and Papers had been fairly pro-
 “ duced and read, it would have appear’d,
 “ that some peoples over-earnest solicitude
 “ for Queen *Elizabeth’s* safety had caus’d
 “ her death.” She concluded with desiring
 an answer under her own hand. But whether
 this Letter was ever receiv’d by Queen *Elizabeth*, is uncertain.

Mr. *Camden* has observ’d, that divers censures were pass’d upon the sentence, according to the different dispositions and inclinations of men ; but the most impartial judges complain’d of its severity, and thought the *Scotish* Queen was hardly dealt with, “ As
 “ she was an absolute Princess, and had no
 “ Superiour but God alone.” They urg’d,
 “ That she was nearly allied to Queen *Elizabeth*
 “ *zabeth* ; that when she was driven from
 “ her throne by her rebellious subjects,
 “ Queen *Elizabeth* had sent to her by *Henry*
 “ *Middlemore*, and made her large pro-
 “ mises of friendship and protection ; that

† *Camden’s Hist. of Queen Elizabeth, &c. lib. III.*
 p. 343, 345.

“ notwithstanding she had broke thro’ her
 “ engagement, violated the laws of hospita-
 “ lity, and detain’d her as a Prisoner; that
 “ she could not be reputed otherwise than
 “ a Prisoner taken in War, and in such a
 “ case all means of procuring her liberty
 “ were held to be lawful; that she could
 “ not commit Treason, as she was no sub-
 “ ject, and Princes of equal authority can
 “ have no jurisdiction one over another;
 “ and therefore the sentence of the Empe-
 “ rour against *Robert King of Sicily* was
 “ disannull’d, because he was no subject of
 “ the Empire; that Embassadours, if they
 “ conspire against the Princes, with whom
 “ they reside, are not to be charg’d with
 “ Treason, and much less their Princes
 “ themselves; that to subject a Prince to the
 “ stroke of an executioner, was strange and
 “ unprecedented; and that this condemna-
 “ tion was unjustifiable by the law of God,
 “ the civil law of the *Romans*, and the
 “ common law of *England*, and even con-
 “ trary to the first Act of Parliament made
 “ in the thirteenth year of Queen *Elizabeth*,
 “ by which it was enacted, *That no man*
 “ *is to be arraign’d for intending the de-*
 “ *struction*

“ *struction of his Prince’s life, but by the*
 “ *testimony and oath of two lawful wit-*
 “ *nesses, to be produc’d face to face before*
 “ *him*; whereas in this tryal no witness
 “ was produc’d, and the Queen was over-
 “ born with the testimony of her Secreta-
 “ ries, who were notwithstanding absent
 “ from the tryal.

In the mean ^w time the King of *Scots* labour’d as much as possible to assist his Mother in her distress, and immediately dispatch’d *William Keith*, a Gentleman of his Bed-chamber, to Queen *Elizabeth*, to prevent her execution. But this Gentleman’s endeavours proving ineffectual, he was order’d to press for a delay, ’till such time as the King should send to her another Embassador, with overtures of more advantage. This was the Master of *Gray*, with whom Sir *Robert Melvil* was join’d in Commission. Upon their being admitted into the Queen’s presence, the Master of *Gray* demanded, if the Queen of *Scots* were still alive, for there had been a constant report

^w Spotiswood’s *Hist. of the Church of Scotland*, &c. lib. VI. p. 351, & seq. Camden’s *Hist. of Queen Elizabeth*, &c. lib. III. p. 373.

that

that the execution was already past. "As
" yet, said the Queen, I believe she is; but
" I will not promise you for an hour."
" Nay, said the Master, we are not come
" with evasive propositions, but to offer
" whatsoever can in equity be requir'd. The
" King will interpose his credit, and give
" the chief of his Nobility for pledges,
" that no contrivance shall be practis'd a-
" gainst your Majesty with the privity of
" his Mother; or if this be held insuffici-
" ent, and your Majesty will be pleas'd to
" set her at liberty, and send her into *Scot-*
" *land*, such expedients shall be found out,
" as shall secure your Majesty from all fu-
" ture attempts by her means." But these
and all other propositions were rejected
with scorn; and upon Sir *Robert Melvil's*
entreating, that the execution might be put
off for some eight days, Queen *Elizabeth*
answer'd in a passion, " No, not an hour."

The King^f inform'd of this conference,
and perceiving now that nothing favourable
was to be expected, wrote the following
letter to *Gray* with his own hand;

Spotswood's *Hist. of the Church of Scotland*, lib.
VI. p. 353.

Reserve

“ **R**eserve your self no longer in your
 “ dealing for my Mother, for you
 “ have done it too long, and think not
 “ that any thing will do good, if her life
 “ be lost; for then adieu further dealing
 “ with that State. Therefore if you look
 “ for the continuance of my favour, spare
 “ no pains nor plainness in this case, but
 “ read my letter written to *William Keith*,
 “ and conform your self wholly to the
 “ contents thereof, and in this let me reap
 “ the fruits of your great credit there, ei-
 “ ther now or never. *Farewell.*

In the letter referr'd to, which was written to Mr. *Keith*, the King had order'd him to remind Queen *Elizabeth*, that in case she proceeded to the execution of his Mother, he should think himself oblig'd, in respect both of nature and honour, to revenge the indignity. But before this letter could reach the Master of *Gray*, he was drawn to pursue other measures, and instead of dissuading the Queen's death, is reported to have suggested to Queen *Elizabeth*, that

† Camden's *Hist. of Q. Eliz.* lib. III. p. 379, & seq.

mortua non mordet, “ a dead woman could not bite.”

The French King sent also Monsieur de Bellievre, to solicit the life of the Queen of Scots; but, as *du Maurier* relates, with private instructions to hasten her death. In conjunction with *L'Aubespine*, the ordinary Embassador, he made several Propositions in her behalf to the Queen and Council. But *L'Aubespine*, not meeting with the desired success, in his zeal for the Scottish Queen enter'd into a conspiracy to cut off Queen *Elizabeth*. And the plot being discover'd gave occasion to her present execution.

On the first of *February* the warrant was sign'd. But Queen *Elizabeth*, being still desirous to have the blame of the action as much as possible remov'd from herself, gave orders to her Secretaries, *Walsingham* and *Davison*, to write to Sir *Amyas Powlet*, and Sir *Drue Drury*, to make her secretly away. But the two Keepers declining the

^v Ibid. 374, 377, & seq. Additions aux Memoires de Mr. de Castelnau, &c. p. 671. Le Laboureur supposes the Plot to have been a contrivance of the Government.

^w See the Appendix, Num. VIII.

Office, as unwarrantable either in justice or honour, the Queen broke out into a violent passion, and complain'd of their *daintiness* and *perjury*, that contrary to their oath of Association, they were resolv'd to cast the whole burden upon her self; she call'd 'em precise fellows, who in words would do mighty things for her safety, but in deed would perform nothing; however, she would have the business done without 'em. And it seems there was one *Wingfield*, who had offer'd his service in the affair, and given her Majesty assurance, that with her leave he would dispatch her competitor. The next day she gave orders to *Davison* to have a letter written to *Powlet* for the speedy execution of the Warrant, since the longer it was deferr'd, the more her danger encreas'd.

Davison * in the mean while had laid the Warrant before the Council, who without any delay had given it into the hands of *Beale*, and dispatch'd him to the Earls of *Shrewsbury*, *Kent*, *Derby*, and *Cumberland*, who were thereby authorized to see the Queen of *Scots* executed according to

* Camden's *Hist. of Queen Eliz.* lib. III. p. 382.

law. † Upon the 7th of *February* they came to *Fotheringay*, and after notice given that their business was a matter of consequence, they were admitted into her Majesty's chamber, and having declar'd to her the cause of their coming, they produc'd the Warrant, which was read by Mr. *Beale*, and briefly admonish'd her to prepare for death, for she was to die the next day.

The 2 Commission was drawn up in the form following.

“ ELIZABETH, *by the grace of God,*
 “ *Queen of England, France, and Ire-*
 “ *land, &c. To our trusty and well-*
 “ *beloved Cousins, George Earl of*
 “ *Shrewsbury, Earl Marshal of Eng-*
 “ *land, Henry Earl of Kent, Henry*
 “ *Earl of Derby, George Earl of*
 “ *Cumberland, and Henry Earl of*
 “ *Pembroke, greeting, &c.*

“ WHEREAS sithence the Sentence
 “ given by you, and others of

† Ibid. *La Mort de la Royne d'Escoffe, &c. p. 4.*
 & seq. *Martyre de la Royne d'Escoffe, &c. p. 690.*

2 *Proceedings against the Queen of Scots, &c. in the*
State-Tryals.

“ our Council, Nobility, and Judges, a-
“ gainst the Queen of *Scots*, by the name
“ of *Mary*, the Daughter of *James the Fifth*,
“ late King of *Scots*, commonly call’d the
“ Queen of *Scots*, and Dowager of *France*,
“ as to you is well known; all the States
“ in the last Parliament assembled did not
“ only deliberately, by great advice, al-
“ low and approve the same Sentence as
“ just and honourable, but also with all
“ humbleness and earnestness possible, at
“ sundry times require, solicit, and press
“ us to direct such further execution a-
“ gainst her Person, as they did adjudge her
“ to have duly deserved; adding thereun-
“ to, that the forbearing thereof was and
“ would be daily certain and undoubted
“ danger, not only unto our own life, but
“ also unto themselves, their posterity, and
“ the publick estate of this Realm, as well
“ for the cause of the Gospel and true Religi-
“ on of Christ, as for the peace of the whole
“ Realm; whereupon we did, altho’ the same
“ were with some delay of time, publish the
“ same Sentence by our Proclamation, yet
“ hitherto have forbore to give direction
“ for the further satisfaction of the afore-
“ said

“ said most earnest requests, made by our
 “ said States of our Parliament; whereby
 “ we do daily understand, by all sorts of
 “ our loving Subjects, both of our Nobility
 “ lity and Council, and also of the wisest,
 “ greatest, and best-devoted of all Subjects
 “ of inferior degrees, how greatly and
 “ deeply, from the bottom of their hearts,
 “ they are griev’d and afflicted, with daily,
 “ yea hourly fears of our life, and thereby
 “ consequently with a dreadful doubt
 “ and expectation of the ruin of the present
 “ happy and godly estate of this Realm,
 “ if we should forbear the further final execution,
 “ as it is deserv’d, and neglect
 “ their general and continual requests,
 “ prayers, counsels, and advices, and thereupon,
 “ contrary to our natural disposition
 “ in such case, being overcome with the
 “ evident weight of their counsels, and
 “ their daily intercessions, importing such
 “ a necessity, as appeareth, directly tending
 “ to the safety not only of our self, but
 “ also to the weal of our whole Realm;
 “ we have condescended to suffer justice to
 “ take place, and for the execution thereof
 “ upon the special trusty experience and

“ confidence which we have of your loy-
“ alties, faithfulness and love, both toward
“ our Person and the safety thereof, and
“ also to your native countries, whereof
“ you are most noble and principal Mem-
“ bers, we do will, and by Warrant hereof
“ do authorize you, as soon as you shall
“ have time convenient, to repair to our
“ Castle of *Fotheringay*, where the said Queen
“ of *Scots* is in custody of our right trusty
“ and faithful servant and Counsellor, Sir
“ *Amyas Powlet*, Knight; and then taking
“ her into your charge, to cause by your
“ commandment execution to be done up-
“ on her person, in the presence of your
“ selves, and the aforesaid Sir *Amyas Pow-*
“ *let*, and of such other officers of justice
“ as you shall command to attend upon you
“ for that purpose; and the same to be
“ done in such manner and form, and at
“ such time and place, and by such persons,
“ as to five, four, or three of you shall be
“ thought by your discretions convenient,
“ notwithstanding any Law, Statute, or Or-
“ dinance to the contrary: And these our
“ Letters Patents, seal’d with our Great
“ Seal of *England*, shall be to you, and
“ every

“ every of you, and to all persons that
 “ shall be present, or that shall be by you
 “ commanded to do any thing appertaining
 “ to the aforesaid Execution, a full suf-
 “ ficient Warrant and discharge for ever.
 “ And further, we are also pleased and con-
 “ tented, and hereby we do will, com-
 “ mand, and authorize our Chancellor of
 “ *England*, at the requests of you all and
 “ every of you, the duplicate of our Let-
 “ ters Patents to be to all purposes made,
 “ dated, and seal’d with our Great Seal of
 “ *England*, as these Presents now are. In
 “ witness whereof we have caused these
 “ our Letters to be made Patents. Given
 “ at our Mannor of *Greenwich*, the 1st day
 “ of *February*, in the twenty ninth year of
 “ our Reign.

The ^a Warrant being read, the Queen
 with courage and composure told ’em, “ She
 “ didn’t think the Queen her Sister would
 “ have consented to her death; but since
 “ her Majesty was so resolv’d, death should

^a Camden’s *Hist. of Queen Eliz.* lib. III. p. 382. *The death of the Queen of Scots, publish’d by Mr. Hearne, at the end of his Preface to Camden’s Life of Queen Elizabeth, &c.* p. 162.

“ be to her most welcome; nor did she
 “ think that soul was worthy the everlast-
 “ ing joys of heaven, whose body could
 “ not bear the stroke of an executioner for
 “ a moment.” She^b then laid her hand
 upon the *New Testament*, which lay by her
 on the table; and made a solemn Protestation,
 that she had never devised, consented
 to, or pursued the death of Queen *Elizabeth*.
 The Earl of *Kent* excepted to her oath, as
 being made upon a Popish Bible; and
 “ therefore, said she, my Lord, ’tis the
 “ more to be relied on, as I believe it to
 “ be an authentick version.” The Earl then
 made a long discourse upon the subject of
 Religion, advis’d her to lay aside the super-
 stitious follies, and idle trumperies of Po-
 pery, recommended to her the Dean of *Peterborough*
 to assist her in her last agonies,
 and in the^c heat of his zeal told her,
 “ that her life would be the death of the
 “ Reform’d Religion, and her death the
 “ life of it.” She answer’d, “ that she
 “ was already sufficiently instructed in the

^b La Mort de la Royne d’Escoffe, &c. p. 17, & seq. Martyre de la Royne d’Escoffe, &c. p. 691.

^c Ibid. and Camden’s *Hist. of Queen Eliz.* lib. III. p. 383.

“ business of her Religion, and was resolv’d
 “ to die firm in the persuasion she had hi-
 “ therto profess’d;” she desir’d her Confes-
 sor might be allow’d to visit her, and per-
 form the last offices of admonition and
 comfort; and this, she said, should be the
 only favour she would ask of ’em in this
 world, and begg’d her request might not be
 denied her. But this they refus’d, and told
 her, the demand was such as in conscience
 they could not comply with. ^d She en-
 quir’d after her Secretaries, *Nawe* and *Curle*,
 what was become of ’em; and not receiv-
 ing a satisfactory answer, she ask’d again,
 if *Nawe* was alive? and being answer’d in
 the affirmative, “ Well, says she, and must
 “ I die, and *Nawe* be sav’d? I protest,”
 and she laid her hand upon the book,
 “ that *Nawe* is the occasion of my death;
 “ *Nawe* has destroy’d me, to save himself;
 “ I die for *Nawe*.” After much discourse
 of the like nature the Earls withdrew, and
 her Majesty with great unconcernedness gave
 orders that supper might be hasten’d, for she
 had a deal of business upon her hands.

^d La mort de la Royne d’Ecosse, &c. p. 59.

She^e sup'd very sparingly, as her manner was. And whilst she was at supper, addressing her self to *Burgoin* her Physician, who waited at table, she ask'd him, if “ the
 “ force of truth was not great; since not-
 “ withstanding the pretence of her having
 “ conspir'd against the Queen's life, the Earl
 “ of *Kent* had told her, she must die for the
 “ security of their Religion.” She then took notice that the Earl had attempted to convert her, and smiling said, “ he was an
 “ unfit Doctor to undertake a conversion.” When supper was over, she order'd her servants to be brought before her, and drank to 'em all together, who pledg'd her upon their knees, and mixing tears with their wine, begg'd pardon of her for all the offences they had at any time committed against her. She forgave 'em with all her heart, and in return ask'd pardon of them; she reminded 'em of their duty towards God, exhorted 'em to continue firm in the faith of Christ, and begg'd they would live

^e Camden's *Hist. of Queen Elizabeth*, lib. III. p. 383. Martyre de Marie Stuart, &c. p. 692, & seq. La Mort de la Royne d'Escoffe, &c. p. 53, & seq.

^f La Mort de la Royne d'Escoffe, &c. p. 56, & seq. Martyre de la Royne d'Escoffe, &c. p. 693.

together in peace and charity, conjur'd 'em in the name of God to lay aside all former hatred and malice, and henceforward to live as brethren; and concluded with desiring their prayers for her. She then distributed her goods and jewels into several parcels, to be divided among them. And afterward retiring into her closet, she wrote three letters, one to her Confessor, to desire he would make intercession to God for her in his prayers, and the other two to the King of *France* and the Duke of *Guise*, recommending her servants to their protection. But before she wrote the two last, she made her will, in two sheets of paper in her own hand, wherein she omitted nothing that belong'd to her, nor suffer'd any of her servants to escape without mention, or some small legacy bequeath'd to 'em.

When this was done, & she said she would now bid adieu to the affairs of this world, and employ the remains of her life in thoughts of eternity. 'Twas her manner to pray with her women in her chamber every night, after the rest of her servants were retir'd, and to read in the lives of the Saints,

^s Ibid. p. 74, & seq. and p. 696, & seq.

and every one took a Saint at the opening of the book, which was the subject of their meditation for that evening. With a view to this practice she said she would chuse the life of a saint, who had been a great sinner; and falling upon the penitent thief, “ he, said she, “ was a great sinner, but I have been a “ greater; he shall be my patron for the time “ I have to live, in memory of my Saviour’s “ passion, whom I pray to have compassion “ on me, as he had pity on him at the hour “ of his death.” At her^h accustom’d time she went to bed, slept some hours, and then awaking spent the rest of the night in prayer.

At ⁱ break of day she read over her Will in the presence of all her servants, and signing it committed it to the care of *Burgoin* her physician, with orders to deliver it into the hands of the Duke of *Guise* her Principal Executor. She then distributed the money she had by her amongst them with her own hands, which she had before divided into so many little purses, with the names of the several persons annexed, for

^h Camden’s *Hist. of Queen Elizabeth*, lib. III. p. 383.

ⁱ *Martyre de la Roynie d’Escoffe*, &c. p. 697. *La Mort de la Roynie d’Escoffe*, &c. p. 75, & seq.

whom

whom they were design'd. And having again admonished and comforted 'em, she bad 'em finally farewell. And now entring her Anti-chamber, she threw herself upon her knees before an Altar, which had been erected for a private Mass, whilst her Almoner was allow'd to attend her, and continued there in prayer for a long season.

About eight o' clock the Sheriff of the County enter'd the room, and gave notice, that the time appointed for the execution was come. * She obey'd the summons, and came forth with an air of pleasantness and Majesty. She was dress'd in a gown of black sattin figur'd, and her petticoat was border'd with crimson velvet. A veil of lawn was fasten'd to her cawle, and bow'd out with wire, and edg'd with lace, hung down to the ground. † Being holyday, she was finer dress'd than usual. Her Chapelet was fix'd to her girdle, and she had an Ivory Crucifix in her hands.

As the Commissioners and other Noblemen were attending her in the Porch, she

* *The Death of the Queen of Scots, &c.* p. 162, & seq. Camden's *Hist. of Queen Elizabeth*, lib. III. p. 383.

† *Memoires de Brantôme*, dans les *Additions aux Memoires de Castelnau*, &c. p. 560.

was met by *Melvil* her Steward, who for three weeks past had been denied any access to her. He ^mfell upon his knees, and breaking out into a passion of tears, lamented his hard fate, that “ He must be the sad messenger of such sorrowful news, as to report “ in *Scotland* that his good and gracious “ Queen and Mistress was beheaded in *England*. ” And not being able to proceed any farther, by reason his sighs interrupted his discourse, the Queen interpos’d and said, “ *Melvil*, my good servant, lament no more, “ but rather rejoice ; for thou shalt now see “ a final period to *Mary Stuart*’s cares. The “ world, my servant, is all but vanity, and “ subject to more sorrow, than an ocean of “ tears can wash away. But take this message along with thee, that I die constant “ in my religion, and firm in my affection “ to *Scotland* and *France*. But God forgive them, that have desir’d my end, and “ thirsted for my blood, as the hart longeth “ after the water-brooks. And now, O “ God, thou God of truth, thou knowest

^m *The Death of the Queen of Scots*, &c. p. 163. *Martyre de Marie Stuart*, &c. p. 698. *La Mort de la Royne d’Ecosse*, &c. p. 89, & seq. *Camden’s Hist. of Queen Elizabeth*, &c. lib. III. p. 384.

“ the inward chamber of my thoughts, and
 “ how I have ever will’d, that *England* and
 “ *Scotland* should be united together. Com-
 “ mend me to my Son, and tell him, I have
 “ done nothing prejudicial to the kingdom
 “ of *Scotland*; advise him to hold in friend-
 “ ship with the Queen of *England*, and see
 “ thou do him faithful service.” And then
 falling into tears, “ Good *Melvil*, says
 she, farewell;” and kissing him, repeated
 her words once more, “ Farewell, good
 “ *Melvil*, and pray for thy Mistress and
 “ Queen.”

She then “ address’d her self to the Lords,
 and desir’d her servants might be treated
 with civility, allow’d to enjoy the legacies
 she had left ’em, have the liberty to return
 into their own country with a safe-conduct,
 and be permitted to stand by her at death.
 The former petitions they seem’d ready to
 comply with; but the Earl of *Kent* ob-
 jected to the last, as inconvenient. For it
 was to be fear’d, lest their intemperate be-
 haviour should be troublesome to her Ma-

“ *The Death of the Queen of Scots, &c.* p. 164. La
 Mort de la Royné d’Ecosse, &c. p. 91. Camden’s *Hist.*
 of Queen Elizabeth, lib. III. p. 384.

jeſty, and unpleaſing to the company. And farther he urg'd, " that if ſuch an acceſs
" were allow'd, they would not fail to put
" ſome ſuperſtitious trumpery in practice,
" tho' it were but dipping their handker-
" chiefs in her Grace's blood, which it was
" not decent for them to admit of." " My
" Lord, ſaid the Queen of *Scots*, I will
" give you my word they ſhall deſerve no
" blame in the actions you have mention'd.
" But alas! poor ſouls, it would do 'em
" good to bid their Miſtreſs farewell. And
" I hope your Miſtreſs, as ſhe is a maiden
" Queen, would not deny me, in regard to
" her ſex, to have ſome of my women a-
" bout me at my death. I know, my Lords,
" her Maſteſty hath not given you ſo limited
" a commiſſion, but that you might grant
" me a greater favour than this, tho' I were
" a woman of leſs diſtinction than the Queen
" of *Scots*." And finding her requeſt was
not to be obtain'd without ſome difficulty,
ſhe broke out into tears; and ſaid, " I am
" Couſen to your Queen, deſcended from
" the royal blood of *Henry VII*, a married
" Queen of *France*, and an anointed Queen
" of *Scotland*." After much conſultation

the Lords at last determin'd to comply; and *Melvil*, *Burgoin*, her Apothecary and Chirurgion, and two of her Women were permitted to be present, and thus attended she came into the Hall.

In the Hall ° was prepar'd a scaffold, which was rais'd about two foot and a half from the ground, and twelve foot square, cover'd over with black cloth, with rails around it, and a low stool, cushion, and block set upon it, cover'd also all over with black. She mounted the scaffold without any change of countenance, or marks of disorder, and took her place upon the stool; the Earl of *Kent* stood by her on the right hand, and the Earl of *Shrewsbury* on the left, and the rest of the company were without the rails. The Commission for her execution was then read by Mr. *Beale*, the Clerk of the Council; and being ended, the people cried with a loud voice, *God save the Queen*. All the time the Commission was reading, the Queen of *Scots* look'd chearful and easie, and seem'd to attend to it with no greater

° *Le Mort de la Royne d'Escoffe*, &c. p. 93, & seq. *The Death of the Queen of Scots*, &c. p. 165, & seq. *Camden's Hist. of Queen Elizabeth*, lib. III. p. 384.

regard, than if she had been wholly unconcern'd in it. The Dean of *Peterborough* then stood up, and began a long discourse upon her life past, present, and to come. The Queen interrupted him once or twice, and said to him, “ Mr. Dean, trouble not
 “ yourself nor me ; I am fix'd in the anti-
 “ ent Catholick, and *Roman* Religion, and
 “ in defence thereof by God's grace I will
 “ shed my blood.” The Dean still pressing her to change her opinion, and put her whole trust in Christ by an assured faith, she answer'd with more earnestness than before, “ Good
 “ Mr. Dean, trouble not yourself any more
 “ about this matter ; I was born in this Re-
 “ ligion, I have liv'd in this Religion, and
 “ I am resolv'd to die in this Religion.

¶ The Lords observing, that her Majesty paid no regard to the Dean's exhortation, told her they would notwithstanding pray for her. “ My Lords, said she, if you will
 “ pray with me, I shall thank you with all
 “ my heart, and think myself much obli-
 “ ged to you, but it would be unlawful in
 “ me to join with you, who are of a dif-
 “ ferent religion.” The Dean however was

¶ Ibid.

order'd

order'd by the Lords to pray ; and all the company, except the Queen and her servants, repeated the words after him. In the mean while her Majesty turning from the Lords, fell upon her knees, and prayed aloud in *Latin*, ^arepeating the Penitential Psalms with great warmth of devotion. She then arose, and after the Dean had made an end of speaking, ^rkneel'd down again, and in *English* recommended “ the Church, “ her Son, and Queen *Elizabeth* to God, “ besought him to turn away his wrath from “ this Island, declar'd herself a grievous sinner, and unworthy to intercede for any “ other, humbly implor'd his mercy and forgiveness, and express'd her hopes of salvation thro' Christ's meritorious death and “ passion,” and lifting up the Crucifix, “ desired all Saints to make intercession for her “ to the Saviour of the World.” She forgave all her enemies, and kissing her Crucifix, and signing herself with the sign of the Cross, “ As thy arms, said she, O Jesus “ Christ, were spread upon the Cross, so re-

^a La Mort de la Royne d'Escoffe, &c. p. 103.

^r Ibid. *The Death of the Queen of Scots*, &c. p. 168.
Camden's *Hist. of Queen Elizabeth*, lib. III. p. 384, seq.

“ ceive me, receive me, O God, into the
“ arms of mercy.” The two Executioners
then kneel’d down before her, and ask’d
forgiveness. “ I forgive you,” said she,
“ with all my heart ; for this death I hope
“ will give an end to all my troubles.”

Her ^fwomen began now to perform their
last office, and prepare her for the block,
and the two Executioners having rudely pull’d
off a pair of sleeves against her intention,
she put them on again with her own hands,
and so hastily, as if she seem’d desirous to
be gone out of the world. Whilst she was
thus making ready, she smiling said, “ She
“ was not us’d to be undress’d by such attend-
“ ants, or put off her cloaths before so much
“ company.” Her women in the mean time
broke out into violent outcries and lamenta-
tions; but she comforted ’em, and kiss’d ’em,
and signing ’em with the sign of the Cross,
with a chearful countenance bad ’em be easy,
“ for now she should rest from all her sor-
“ rows.” And turning to her men-servants,
who were also in tears, she sign’d them too
with the sign of the Cross, and smiling up-
on ’em she bad ’em farewell. And then

^f Ibid.

covering

covering her face with a linen handkerchief, in which the Holy Eucharist had formerly been inclos'd, she resolutely kneel'd down upon the cushion, and without any sign of fear repeated the Psalm aloud in *Latin*, *In thee, O Lord, do I trust, let me never be confounded.* And laying her head upon the block, and stretching forth her body, and repeating three or four times, *Into thy hands, O Lord, I commend my Spirit*, her head was cut off at three strokes by the Executioner. The Executioners lift up the Head, and said, *God save the Queen*; and the Dean replied, *So let Queen Elizabeth's enemies perish.* The Earl of *Kent* approach'd the body, and said in a lower voice, *May such end happen to all the Queen's and the Gospel's enemies.* Her little dog was observ'd to have crept under her cloaths, and would not be remov'd but by force; and afterwards would not depart from the body, but came and lay between the head and shoulders. Her body was then embalmed, and interred with much magnificence in the Cathedral at *Peterborough*. Her obsequies were also perform'd at *Paris* with great solemnity at the instance of the House of *Guise*.

Thus died *Mary*, Queen of *Scots*, in the 45th year of her age, and the 19th of her imprisonment: “A Lady, ‘says Mr. *Camden*,
 “fix’d and constant in her Religion, of singular piety towards God, invincible magnanimity of mind, wisdom above her sex, and admirable beauty, and to be rank’d in the List of those Princesses, who have exchang’d their grandeur for misery and calamity.” Near her tomb the following Epitaph was set up, but soon after remov’d.

MARIA SCOTORUM REGINA, REGIS FILIA, REGIS GALLORUM VIDUA, REGINAE ANGLIAE AGNATA, ET HAERES PROXIMA, VIRTUTIBUS REGIIS, ET ANIMO REGIO ORNATA, JURE REGIO FRUSTRA SAEPIUS IMPLORATO, BARBARA ET TYRANNICA CRUELITATE, ORNAMENTUM NOSTRI SECULI, ET LUMEN VERE REGIUM, EXTINGUITUR; EODEMQUE NEFARIO JUDICIO ET MARIA SCOTORUM REGINA MORTE NATURALI, ET OMNES SUPERSTITES REGES, PLEBEII FACTI, MORTE CIVILI MULCTANTUR. NOVUM ET INAUDITUM TUMULI GENUS, IN QUO CUM VIVIS MORTUI INCLUDUNTUR, HIC EXTAT;

* *Camden's Hist. of Queen Elizabeth*, lib. III. p. 385.

CUM SACRIS ENIM DIVAE MARIAE CINERIBUS OMNIUM REGUM ATQUE PRINCIPUM VIOLATAM ATQUE PROSTRATAM MAJESTATEM HIC JACERE SCITO ; ET QUIA TACITUM REGALE SATIS SUPERQUE REGES SUI OFFICII MONET, PLURA NON ADDO, VIATOR.

▼ About twenty years after, her Corps was order'd to be remov'd to *Westminster*, by her Son King *James* ; and she now lies buried on the South side of King *Henry VIIth*'s Chapel, where the King erected a noble monument, with the following inscription.

D. O. M.

MARIAE STUARTAE, SCOTORUM REGINAE, FRANCIAE DOTARIAE, JACOBI V. SCOTORUM REGIS FILIAE, ET HAEREDIS UNICAE, HENRICI VII. ANGLIAE REGIS EX MARGARETA MAJORI NATU FILIA (JACOBO IV. REGI SCOTORUM MATRIMONIO COPULATA) PRONEPTIS, EDWARDI IV. ANGLIAE REGIS EX ELIZABETHA, FILIARUM NATU MAXIMA, ABNEPTIS, FRANCISCI II. GALLO-
RUM REGIS CONJUGIS, CORONAE ANGLIAE,
DUM VIXIT, CERTAE ET INDUBITATAE

▼ *Mr. Collier's Ecclesiast. Hist. Vol. II. p. 601, seq.*

HAE-

HAEREDIS, ET JACOBI MAGNAE BRITANNIAE MONARCHAE POTENTISSIMI MATRIS.

STIRPE VERE REGIA ET ANTIQUISSIMA PROGNATA ERAT, MAXIMIS TOTIUS EUROPAE PRINCIPIBUS AGNATIONE ET COGNATIONE CONJUNCTA, ET EXQUISITISSIMIS ANIMI ET CORPORIS DOTIBUS ET ORNAMENTIS CUMULATISSIMA. VERUM, UT SUNT VARIAE RERUM HUMANARUM VICES, POSTQUAM ANNOS PLUS MINUS VIGINTI IN CUSTODIA DETENTA, FORTITER ET STRENUE, SED FRUSTRA, CUM MALEVOLORUM OBTRECTIONIBUS, TIMIDORUM SUSPICIONIBUS, ET INIMICORUM CAPITALIUM INSIDIIS, CONFLICTATA ESSET, TANDEM INAUDITO ET INFESTO REGIBUS EXEMPLO, SECURI PERCUTITUR.

ET CONTEMPTO MUNDO, DEVICTA MORTE, LASSATO CARNIFICE, CHRISTO SERVATORI ANIMAE SALUTEM, JACOBO FILIO SPEM REGNI ET POSTERITATIS, ET UNIVERSIS CAEDIS INFAUSTAE SPECTATORIBUS EXEMPLUM PATIENTIAE COMMENDANS, PIE ET INTREPIDE CERVICEM REGIAM SECURI MALEDICTAE SUBJECIT, ET VITAE CADUCAE SORTEM CUM COELESTIS REGNI PERENNITATE COMMUTAVIT.

F I N I S.




T H E
A P P E N D I X.



N U M B. I.

The Treaty of Edinburgh, from Spotiswood's History of the Church of Scotland, lib. III. p. 147.

I.  H A T the *French* Men of War in the Town of *Leth*, should be sent home within the space of twenty Days, with Bag and Baggage; and for their better Transport, should be furnish'd with Ships of *England*, they giving Pledges for the safe return of the same.

II. That *Leth* being render'd to the Lords of *Scotland*, the Walls thereof should be demolish'd, as likewise the fortifications at *Dumbar*, if so it should seem good to the Lords, after they had view'd the same; and that the King and Queen should make no new Forts within the Realm, nor augment these that were already made, nor yet repair

B b these

these that were demolished, without Council and Consent of the Estates.

III. That a Garrison of threescore *French* Men should be permitted to remain in the Castle of *Dumbar*, and as many in the Isle of *Inchkeeth*, until the Estates should find Means to maintain the said Forts upon their own Charges from all peril of foreign Invasion; the said Soldiers in the mean time living obedient to the Laws of the Realm, and taking nothing from the Subjects without payment of ready Money.

IV. That an Act of Oblivion should be made for abolishing the Memory of all Injuries and Wrongs attempted or committed against the Laws of the Realm, since the 6th day of *March* 1558, until the 1st of *August* 1560, which Act should be ratify'd in the next Parliament, and confirmed by the Queen, with consent of her Husband.

V. That a general Peace and Reconciliation should be made amongst the Lords and Subjects of the Realm, so as they who were call'd of the Congregation, and they who were not of the same, should bear no quarrel to others, for any thing done since the 6th of *March* 1558.

VI. That the King and Queen should not pursue, revenge, or suffer to be reveng'd, any Violence or Injury that had been done since the said time, nor should deprive, or seek any Colour to dispossess the Subjects, or any of them, of the Benefices, Houses, and Estates, which they have enjoy'd before, they always continuing in the due Obedience of their Sovereigns: And that it might be known, that the King and Queen were not willing to keep any remembrance of the Troubles past,

it

it was accorded, that the Duke of *Chastelherault*, and all other Noblemen of *Scotland*, should be re-possess'd in their Livings and Benefices within *France*, after the manner that they did enjoy the same, before the said 6th day of *March*; and that all Capitulations agreed upon in times past should be observ'd, as well for the part of their Majesties, as the part of the Nobility and People of *Scotland*.

VII. That where any Bishops, Abbats, or other Churchmen, should alledge themselves to have receiv'd any Injuries, either in their Person or Goods, the same should be consider'd by the Estates of Parliament, and Redress made according to Reason; and in the mean time, that no man should stop them to enjoy their Rents, nor do any hurt or violence to their Persons; and if any should do contrary to this Article, he should be pursu'd by the Lords as a perturber of the Commonwealth.

VIII. That in time coming, the King and Queen should depute no Strangers in the Administration of Civil and Common Justice, nor bestow the Offices of Chancellary, Thesaurer, Comptrollary, and the like, upon others, than born Subjects of the Realm: As likewise, that it should not be lawful to give the Office of Thesaurary or Comptrollary to any Churchman or other Person, that is not able to administrate the same. Further, that the Thesaurer or Comptroller appointed by hem, and instructed with sufficient Commission, should do nothing in disposing of Casualties, without the Consent of the Council, to the effect all things may be done for the Profit of the King and Queen: Yet should it not be thought that this Article did either bind the King or Queen, but that they may give where and when they should think expedient.

IX. That the Estates of the Realm should convene and hold a Parliament in the Month of *August* next, for which a Commission should be sent from the *French* King and the Queen of *Scotland*; and that the said Convention should be as lawful in all respects, as if the same had been ordain'd by the express Commandment of their Majesties; providing all Tumults of War be discharged, and they who ought by their Places to be present, may come without fear.

X. That for the better Government of this Realm, choice should be made of a Council, which should consist of twelve worthy Men of the Kingdom, of which Number, the Queen should chuse Seven, and the Estates Five; which Twelve, in their Majesties Absence, should take Order with the Affairs of Government, and without their Authority and Consent, nothing should be done in the Administration of Publick Business. And that the said Council should convene as oft as they might conveniently, but no fewer than Six together; or if any Matter of Importance occur'd, they should be all called, or the most part of them; providing it should not be prejudicial to the King and Queen, and to the Rights of the Crown.

XI. That the King and Queen should neither make Peace nor War in these Parts, but by the Council and the Advice of the Estates, according to the Custom of the Country, as it was observed by their Predecessors.

XII. That none of the Lords of the Nobility of *Scotland* should make Convocation of Men of War, except in ordinary Cases approv'd by the Laws and Customs of the Realm, nor should any of them cause Men of War, Strangers, to come into these Parts, much less,

attempt to do any thing against the King and Queen, or against the Authority of the Council, and other Magistrates of the Realm; and in case any of them had occasion to take Arms, the same being first communicated to the Council, their Majesties likewise should be acquainted therewith, and nothing to be done by them, that ought not to be done by good and faithful Subjects, that love the Quietness of the Realm, and will abide in the Obedience of their Sovereigns.

XIII. That Lord *David*, Son to the Duke of *Chastelherault*, detain'd Prisoner at *Bois de Vincennes*, should be put to liberty, and suffer'd to return into *Scotland* at his pleasure.

XIV. That with the *Frenchmen* no Artillery should be transported forth of the Realm, but those which were sent and brought in since the Decease of *Francis I.* and that all other Artillery and Munition, especially that which hath the Arms of *Scotland*, should be put into the Places, out of which they were taken.

XV. That the Army of *England* should return home immediately after the embarking of the *French*, and that all the *Scottish* Men of War should be broken, and licenced to depart.

XVI. That for the Articles concerning Religion presented for the Part of the Nobility and People of *Scotland* (which the Commissioners would not touch, but referr'd to their Majesties) it was promis'd, that a certain number of Noblemen should be chosen in the next Convention and Parliament, to be sent to their Majesties, to expone unto them the Things that should be thought needful for the Estate thereof; and for the Ar-

ticles presently decided, they should carry with them the Ratification of the same by the Estates, and return a Confirmation thereof from their Majesties.

XVII. Lastly, That the Queen of *Scotland* and King of *France* should not hereafter usurp the Titles of *England* and *Ireland*, and should delete the Arms of *England* and *Ireland* out of their Scutcheons, and whole Household-stuff.



N U M B. II.

Instructions given to the Bishop of Dunblain, the Queen of Scots Ambassador in France, concerning her Marriage with the Earl of Bothwell, apud Buchan. Rer. Scotic. lib. 18. p. 357.

Primum, nos excusabis Regibus Avunculisq; nostris, quòd matrimonii nostri peracti rumor prius ad eos permanavit, quàm per ullos nostros nuncios consilium eà de re nostrum aperuissimus, Hæc excusatio, velut fundamento, innitetur verae expositioni totius vitæ, ac præcipue officiorum Ducis Orcadum, adversum nos, ad eum usq; diem, quo nobis est visum eum conjugem adsciscere. Ejus autem historiæ, uti res habet, explanationem aggredieris, initio sumpto ab ultimis usq; spatiis adolescentiæ. Cum primum suarum rerum fuit compos, statim à morte patris, hominis inter regni primates primarii, quibus posset officiis se Regibus colendis totum dicavit, & erat alioqui familià in primis illustri, cum ob veterem nobilitatem, tum ob maxima regni munia, quæ jure hæreditario possidebat. Eo autem potissimum tempore

pore matri nostræ, quæ tum imperii summam modera-
batur, se penitus dedit, in eâque colendâ ita persevera-
vit, ut, quanquam brevi major pars Nobilitatis, ac pene
universa oppida, prætextu religionis ab eâ descivissent,
nunquam tamen ille ab ejus auctoritate declinârit, aut
ullis promissis beneficiisve adduci posset, aut minis re-
rumq; domesticarum damno perterreri, ut in ullâ erga
eam officii parte cessaret; potiusq; sit passus domum,
quæ patrimonii caput erat, cum supellectili pretiosâ &
amplâ diripi, bonaq; reliqua inimicis prædæ esse. Deniq;
nostro atq; adeo civium omnium auxilio destitutus, (An-
glorum exercitu in ipsa regni viscera ab hostibus domesti-
cis inducto, qui nullum alium in scopum tela sua diri-
gerent, quàm ut noster maritus, tum Bothueliæ Comes,
vi coactus, patriâ patrimonioq; relicto, *exularet*) se in
Franciam recepit; ibiq; usq; ad meum in Scotiam redi-
tum, quibus potuit officiis, me coluit & observavit. Nec
omittendæ erunt res ab eo bello gestæ adversus Anglos,
paullò ante meum reditum, ubi tale specimen & milita-
ris fortitudinis & senilis prudentiæ dedit, ut dignissimus
sit existimatus, qui admodum juvenis natu majoribus
imperaret, & supremus totius patrii exercitûs dux nos-
terq; vicarius eligeretur: quo in magistratu, adèò spem
hominum non fefellit, ut rebus fortiter gestis præclaram
sua virtutis memoriam apud cives & hostes reliquerit.
Post reditum verò nostrum, omne suum studium con-
tulit ad auctoritatis nostræ amplificationem; nec suis
unquam pepercit periculis, in perdomandis rebellibus,
qui proximè limites Anglorum accolunt: ut brevi rebus
ibi ad summam tranquillitatem redactis, idem in caeteris
regni partibus præstare destinavit. Verùm, ut invidia
semper est virtutis comes, Scoti, rerum novarum avidi,
nonnulli, nostrum erga eum studium & favorem immi-
nuere cupientes, benefacta ejus malè interpretando, tan-
dem perfecerunt, ut eum custodiæ committeremus; par-
tim,

tim, ut quorundam aemulorum placaremus animos, qui futuræ magnitudinis incrementa ferre non poterant; partim, ut jamjam erupturas, in regni totius perniciem, seditiones compeſceremus. E custodiâ elapſus, ut aemulorum impotentiae cederet, in Galliam se recepit, ibiq; mansit fermè usq; ad biennium proximum; quo tempore priorum seditionum omnium auctores, obliiti & nostrae erga se lenitatis, & sui erga nos officii, bello suscepto, ad arma adversus nos ierunt. Ibi ille, nostro jussu revocatus, ac bonis cum pristinis honoribus ei restitutis, iterum omnibus copiis legatus est praefectus. Ejus autem ductu, ita statim nostra reſſoruit auctoritas, ut universi rebelles, subito patriâ relictâ, coacti sint in Angliam se recipere: donec pars eorum supplices, post humillimas preces, fuerunt à nobis in gratiam recepti. Ob reliquos verò reductos, quàm perfidiosè fuerim tractata, per eos, quos majoribus, quam promerebantur, beneficiis affecimus, non ignorat noster avunculus; ideoq; paucioribus ea attingo. Nec tamen silentio prætereundum est, quantâ cum solertiâ è manibus eorum, qui me tum captivam detinebant, liberârit; quàmq; celeriter, ejus singulari providentiâ, & ego è custodiâ evaserim, &, totâ factione conjuratorum dissipatâ, pristinam auctoritatem recuperaverim. Hic equidem fateri cogor officia ejus, tum mihi praestita, adeò grata fuisse, ut nunquam nobis è memoriâ potuerint excidere. Haec autem cùm sint per se maxima, tantâ sedulitate & diligentia ea hæctenus cumulavit, ut nec majorem observantiam nec fidem in quoquam optare possimus, quam in eo deprehenderimus, usq; ad hæc postrema tempora, quæ Regis mariti nostri decessum sunt consecuta. Ab eo enim tempore, ut cogitationes ejus ad sublimiora niti videbantur, ita & actiones insolentiores quodammodo sunt visae. Et quanquam eò res processit, ut omnia nobis in meliorem partem sint accipienda, gravissimè
tamen

tamen tum nos offenderant haec; primùm arrogantia, quod nullam referendae gratiae reliquam nobis putaret superesse facultatem, nì meipsam ei, velut officiorum praemium, traderem; occultae rationes & consilia, ac tandem apertus mei contemptus, & vis adhibita, in me (ne conatu frustraretur) in suam potestatem redigendâ. Interea tota vitae ratio, ei in hac parte instituta, exemplo esse potest, quàm callidè sua consilia tegant, qui magnum facinus susceperunt, donec voti compotes fiant. Ego enim hanc perpetuam ejus observantiam & sedulitatem, imperiis meis cum summâ celeritate parendi, non ex alio fonte manare, quàm ex vehementi studio declarandae erga me voluntatis, existimavi; neq; altius ullum aut votum aut consilium illic occultari putabam. Nec unquam fore speravi, ut paullò familiarior vultus, quò uti solemus erga homines illustres, ut voluntates eorum ad lubentiùs nobis parendum devinciamus, animum ejus erigeret, ut insolentioris benevolentiae spem sibi de nobis promitteret. Ille tamen fortuita etiam in suam rem trahens, consiliaq; sua clam me fovens, tum quidem solitâ observantiâ & pristinum nutriebat favorem, & prensando Nobilitatem novum occultè ambiebat; tantumq; assiduâ diligentia perfecit, ut, me rerum illarum insciâ, cùm Ordinum conventus hic esset, ab universâ Nobilitate scriptum impetraverit, omnium chirographis ad fidem faciendam apposis; quo scripto, non modò nuptiis inter me & illum assentiebantur, sed & bona vitamque, in consiliis exsequendis, se omnibus periculis objecturos promittebant, seq; omnibus, qui rem impedire conarentur, futuros hostes. Nobilitati autem, ut faciliùs obtineret suffragia singulorum, persuaserat, me non invitâ haec à se geri. Hoc demum scripto ab illis impetrato, coepit pedetentim accuratissimis precibus nostrum quoq; consensum eblandiri. Sed cùm responsa nostra ejus libidini non consentirent, coepit ante oculos revocare ea
fere,

fere, quae in hujusmodi consiliis suscipiendis occurrere consueverunt; exteriora nostrae voluntatis indicia, rationes quibus aut nostri amici aut ipsius inimici ejus consilium impedire possent, & ne qui jam subscripserant animos mutarent, multa item alia, quae aut objecta aut sponte occurrentia ejus expectationem frustrari possent. Tandem secum statuit, fortunae faventi instare, atq; in unius momenti aleam, rem, vitam, spemq; conjicere. Itaq; cum apud se decrevisset gnaviter consilii sui eventum tentare, quartâ ferè post die, cum ab invisendo carissimo filio redirem, & locum & tempus opportunum in viâ nactus, validâ manu me aggressus cum summâ celeritate Dumbarum duxit. Id facinus quam in partem acciperemus, ab eo praesertim, à quo ex omnibus nostris civibus tale quicquam minimè expectabamus, facile secum quivis existimabit. Ibi ei exprobravi, quanto semper eum favore fuerim prosecuta, quàmq; ei apud alios fuerit honorifica mea de ejus moribus opinio, ejusque contrâ adversus me ingratitude, quaeq; alia facere possent ad me ex ejus manibus liberandam. Tractatio quidem asperior, sed sermo atq; responsa molliora erant. Se enim omni honore & observantiâ adversum nos usurum, operamq; daturum, ne ullâ in re animum nostrum offenderet. Quòd autem me invitam in unam ex arcibus nostris deduxisset, tam audacis facinoris veniam supplex petiit; sed ad quod vi amoris (reverentiæ & obsequii, quod ut civis mihi debebat, oblitus) impulsus fuisset. Accessit eodem, quod salutis tuendae causâ eò cogebatur. Ibi totum vitae cursum mihi recensere coepit, suamq; fortunam lamentabatur, quòd, quos nunquam læsisset, sibi inimicos gravissimos offenderat; quorum malitia nullas injustè nocendi occasiones praetermitteret; quantâ Regiae cædis invidiâ eum onerarent; quàm impar occultis inimicorum conspirationibus esset; quos nec nòsse posset, quòd omnes vultu & oratione benevolentiam

tiam simularent, nec eorum, quos non nôisset, praecavere posset insidias. Tantam autem eorum esse malitiam, ut nullo in loco, nullo in tempore, securus vitam queat degere, nisi de nostro immutabili erga se favore certus. Hanc autem certitudinem unâ ratione parari posse, si ego in animum inducerem, ut meo dignarer eum matrimonio. Sanctissimè autem dejerabat, se nullam inde praecellentiam aut supremi gradûs fastigium spectare, sed illud unum, ut mihi, perinde atq; adhuc fecerat, pareret atq; inserviret, quoad viveret. Ad haec, quantam ea caussa poscebat, venustatem orationis adjiciebat. Verùm, cùm nec precibus nec promissis videret nos inflecti, tandem nobis indicavit, quid cum Nobilitate universâ atq; Ordinum principibus egerit; quid illi rursus appositis chirographis promiserint. Haec, subito ac præter opinionem objecta, justam necne stuporis nobis caussam dederint, Regi, Reginae, avunculo caeterisq; amicis judicandum relinquimus. Itaq; cùm me perspicerem in alienâ potestate positam, seorsum ab omnibus, quorum uti consilio solebam; imò cùm eos viderem, in quorum antè fide & prudentiâ conquiescebam, quorum vires nostram auctoritatem tueri debebant, sine quibus nostrae vires perexiguæ ac potiùs nullae sunt; hos cùm viderem ad subserviendum cupiditati ejus sese devovisse, meq; solam ei in praedam relictam, multa quidem cum animo solaversabam, sed exitum planè nullum reperiebam. Verùm ille nobis non admodum longum ad consilium capiendum tempus dabat; sed continenter & importunè propositum urgebat. Postremò, cum neq; spem evadendi ullam viderem; neq; quenquam in toto regno cui nostra libertas curae esset, (facile enim perspexeram è chirographis datis, & summo illius temporis silentio, cunctos in ejus partes fuisse tractos,) coacta demum fui, irâ paullulum & indignatione mitigatâ, animum ad ejus petitiones excutiendas referre; atq; ante oculos pro-

ponere

ponere superiorum temporum officia, & spem in eâdem cum nostri observantiâ constanter in posterum perseveraturum. Item, quàm gravatè nostri cives Regem peregrinum, legibus & institutis eorum inassuetum, essent recepturi; quòd non diu me coelibem esse paterentur; quòd populus, naturâ factiosus, in officio contineri non posset, nisi nostra auctoritas & fulciatur & exerceatur, per virum, qui labori ferundo par sit, in administrandâ Republicâ ac rebellantium insolentiâ coercendâ; quarum rerum pondus vires nostræ, ab eo tempore quo in Scotiam redivimus debilitatae, ac propemodum fractae assiduiscum tumultibus ac rebellionibus, ampliùs sustinere nequeunt. Item quòd ob has seditiones quatuor aut etiam plures legatos in diversis regni partibus creare sumus coactae, quorum pars major, eo colore imperii à nobis permiffi freta, nostros cives arma sumere adversus nos coegit. Ob has ego causas cùm futurum viderem, ut, si Regii nominis dignitatem salvam vellem, animum ad nuptias inflectere cogerer; nec cives nostri Regem externum passuri forent; nec inter cives quisquam esset, qui vel splendore familiae, vel prudentiâ & fortitudine, aliisq; corporis & animi virtutibus, praeferrî aut etiam conferri posset cum eo, quem nos maritum accepimus, mihi met ipsi imperavi, ut universali omnium Ordinum consensui, de quo ante dictum est, me adjungerem. Postquam his multisq; aliis rationibus animi mei labefactata est constantia, partim à me vi expressit, partim obtinuit obsequiis, ut ei me nupturam promitterem. Nec tamen adhuc ab eo, ut qui semper voluntatis mutationem pertimescebat, obtinere ullis argumentis potuimus, ut matrimonii perficiendi tempus prorogaremus, ut videlicet tantum morae interponeretur, donec rem communicarem cum Rege Reginaq; Galliarum, cæterisq; nostris amicis. Verùm, ut ab audaci facinore exorsus ad primum suae cupidinis gradum pervenerat, nanquam cessavit

cessavit ad argumenta preces importunas adjungere, donec tandem, nec sine vi, nos impulit, ut operi inchoato finem imponeremus, idq; eo tempore & modo, quae illi ad id consilium exsequendum visa sunt commodissima. Quâ in parte dissimulare non possem, me ab eo aliter tractatam, quàm aut voluisssem, aut promerita fuerim. Magis enim sollicitus fuit, ut satisfaceret illis, per quorum consensum initio expressum voti compotem se putat (quanquam & illos & me pariter decepit) quàm ut mihi gratificaretur, aut expenderet quid mihi decorum foret, quae in religionis nostrae institutis & ritibus fuerim educata; à quâ nec ille, nec quisquam alius vivus, vivam abducat. In hâc certè re, etsi errorem nostrum agnoscimus, tamen libenter cuperemus, ne Rex, & Regina mater ejus, & noster avunculus, aut alius amicorum, eâ de re expostulet, aut eam vitio ei vertat. Nunc enim, rebus ita transactis, ut infectae fieri non possint, in meliorem partem omnia accepimus; &, ut est re verâ, ita maritus noster est existimandus, quem dehinc & amare & colere decrevi. Quicumq; autem se profitentur nostros amicos, similes erga eum se profiteri necesse est, qui insolubili vinculo nobiscum conjunctus est. Quanquam nonnullis in rebus paullò negligentius, ac penè temerariè, se gesserit, quod immoderatae erga nos affectioni libenter imputamus, cupimus tamen, ut Rex, Regina, noster avunculus, ac caeteri amici, eum non minore prosequantur benevolentia, quàm si omnia ad hunc usq; diem ex eorum praescripto transacta fuissent; eumq; contrà promittimus in omnibus, quae ab eo postulabuntur, semper gratificari paratum.



NUMB. III.

The Tenor of the Association for the Safety of Queen Elizabeth, &c. in the Proceedings against Mary Queen of Scots, among the State Tryals, p. 122.

Forasimuch as Almighty God hath ordain'd Kings, Queens and Princes to have Dominion and Rule over all their Subjects, and to preserve them in the Possession and Observation of the true Christian Religion, according to his holy Word and Commandment; and in like sort that all Subjects should love, fear, and obey their Sovereign Princes, being Kings or Queens, to the utmost of their Power, at all times to withstand, pursue, and suppress all manner of Persons, that shall by any means intend and attempt any thing dangerous or hurtful to the Honour, State, or Persons of their Sovereigns.

Therefore we, whose Names are or shall be subscrib'd to this Writing, being natural-born Subjects of this Realm of *England*, and having so gracious a Lady, our Sovereign *Elizabeth*, by the Ordinance of God, our most Rightful Queen, reigning over us these many Years with great Felicity, to our inestimable Comfort; and finding lately by divers Depositions, Confessions, and sundry Advertisements out of foreign Parts, from credible Persons, well known to her Majesty's Council, and to divers others, that for the Furtherance and Advancement of some pretended Title to the Crown, it hath been manifested, that the Life of our gracious Queen *Elizabeth* hath been most dangerously design'd against, to the Peril of her Person, if Almighty God, her perpetual Defender, of his Mercy had not reveal'd and withstood the same, by whose Life we and all other her Majesty's true and loyal Subjects do enjoy all inestimable Benefit of Peace in this Land; do for the Reasons and Causes before al-

ledg'd

ledg'd not only acknowledge our selves most justly bound with our Lives and Goods for her Defence, and in her Safety to persecute, suppress, and withstand all such Intenders, and all other her Enemies, of what Nation, Condition, or Degree whatsoever they shall be, or by what Counsel or Title they shall pretend to be her Enemies, or to attempt any harm upon her Person; but do further think it our bounden Duties, for the great Benefit of Peace, Wealth, and godly Government, we have more plentifully receiv'd these many Years under her Majesty's Government, than any of our Forefathers have done in any longer time of any other Progenitors Kings of this Realm, to declare and by this Writing make manifest our bounden Duties to our Sovereign Lady for her Safety.

And to that end, we and every of us, first calling to Witness the Name of Almighty God, do voluntarily and most willingly bind our selves, every one of us to the other, jointly and severally in the Band of one firm and loyal Society; and do hereby vow and promise by the Majesty of Almighty God, that with our whole Powers, Bodies, Lives and Goods, and with our Children and Servants, we, and every of us, will faithfully serve and humbly obey our said Sovereign Lady Queen *Elizabeth*, against all States, Dignities, and earthly Powers whatsoever, and will as well with our joint and particular Forces during our Lives withstand, pursue, and offend, as well by force of Arms, as by all other means of Revenge, all manner of Persons, of whatsoever State they shall be, and their Abettors, that shall attempt any Act or Counsel, or consent to any thing that shall tend to the harm of her Majesty's Royal Person, and will never desist from all manner of forcible Pursuit against such Persons to the utter Extermination of them, their Counsellors, Aiders, and Abettors.

And that any such wicked Attempt against her most Royal Person shall be taken in hand or procur'd, whereby any that have, may, or shall pretend Title to come to this Crown by the untimely Death of her Majesty so wickedly procur'd (which God of his Mercy forbid) may be aveng'd; we do not only bind our selves both jointly and severally never to allow, accept, or favour any such pretended Successor, by whom, or for whom any such detestable Act shall be attempted or committed, as unworthy of all Government in any Christian Realm or Civil State.

But do also further vow and protest, as we are most bound, and that in the Presence of the eternal and everlasting God, to prosecute such Person or Persons to death, with our joint and particular Forces, and to act the utmost Revenge upon them, that by any means we or any of us can devise and do, or cause to be devis'd and done, for their utter Overthrow and Extirpation.

And to the better Corroboration of this our Loyal Band and Association, we do also testify by this Writing, that we do confirm the Contents thereof by our Oaths corporally taken upon the holy Evangelists, with this express Condition, that no one of us shall for any respect of Person or Causes, or for Fear or Reward, separate our selves from this Association, or fail in the Prosecution thereof during our Lives, upon pain of being by the rest of us prosecuted and suppress'd as perjur'd Persons, and as publick Enemies to God, our Queen, and to our native Country; to which Punishment and Pains we do voluntarily submit our selves and every of us, without Benefit of any Colour and Pretence.

In Witness of all which Premisses to be inviolably kept, we do to this Writing put our Hands and Seals; and shall be most ready to accept and admit any others hereafter to this Society and Association.

NUMB. IV.

King James's Letter to the Queen of Scots, in Answer to her Complaint of his Embassadour's Conduct at the Court of England, in Le Laboureur's Additions aux Memoires de Castelnau, &c. p. 637.

MADAME & tres-honorée mere, j'ay receu vos lettres ne contenant que une plainte des deportemens de mon dernier Ambassadeur en ces quartiers par delà. Quant à ses deportemens, ie répondray en general; qu'il s'est acquitté de sa charge en homme de bien & selon sa commission. Quant aux particulieres choses de quoy vous en plaignez, il me semble que c'est principalement qu'il n'a point intercedé vostre liberté: la dernière, qu'il a nié l'association auoir esté passée. Quant au traiter d'affaires conjointement avec vous, ie n'ay jamais, Madame, leu ou ouy dire, que deux Princes ou deux personages eussent ou pussent traiter conjointement leurs affaires, puis que chacun a les siennes, & principalement est-il impossible à nous, l'un de nous étant libre & occupé aux affaires d'Etat, & l'autre captif vivant solitaire comme en un desert. Quant à ce qu'il n'a point intercedé pour vostre liberté, ie mets à vostre discretion de considerer, lequel de ces deux doit estre le premier en ordre; à sçavoir, si on doit premierement establir une amitié, & puis faire quelque requeste instante, ou bien si on doit faire la requeste deuant que l'amitié fust établie & ferme. Quant à ce qu'il a nié l'association auoir esté passée; vous sçavez, Madame, qu'il en a dit vray, & si j'eusse autrement mandé à des Princes estrangers, j'eusse dementy la verité. Et pour vous reconnoître Reine, ie vous ay tousiours reconnue & reconnoi-

tray ma vie durant pour Reine mere, selon que la pieté & le deuoir m'y obligent, mais non pour peur de mécontentement de Prince estrangeur que ce soit; car quiconque d'eux se mécontentera de moy, ie me mécontenteray reciproquement d'eux.



NUMB. V.

Ann. 27 Elizab.

An Act for the Security of the Queen's Royal Person, and the Continuance of the Realm in Peace.

Forasmuch as the good felicity and comfort of the whole estate of this Realm consisteth only (next under God) in the surety and preservation of the Queen's most excellent Majesty; and for that it hath manifestly appear'd, that sundry wicked plots and means have of late been devised and laid, as well in foreign parts beyond the seas, as also within this realm, to the great endangering of her Highness's most Royal Person, and to the utter ruin of the whole commonweal, if by God's merciful providence the same had not been reveal'd; therefore for the preventing of such great perils as might hereafter otherwise grow by the like detestable and devilish practices, at the humble suit and earnest petition of the Lords Spiritual and Temporal, and the Commons in this Parliament assembled, and by the authority of the same Parliament; Be it enacted and ordain'd, If at any time after the end of this present session of Parliament any open invasion or rebellion shall be had or made, into or within any of her Majesty's Realms or Dominions, or any act attempted, tending to the hurt of her Majesty's most Royal Person, by any person, or with the privity of any person that shall or may pretend title to the Crown of
this

this Realm; that then by her Majesty's commission under the great Seal, the Lords and other of her Highness's Privy Council, and such other Lords of Parliament to be nam'd by her Majesty, as with the said Privy Council shall come up to the number of four and twenty at the least, having with them for their assistance in that behalf such of the Judges of the Courts of Record at *Westminster*, as her Highness shall for that purpose assign and appoint, or the more part of the same Council, Lords, and Judges, shall by virtue of this act have authority to examine all and every the offences aforesaid, and all circumstances thereof, and thereupon to give sentence or judgment, as upon good proof the matter shall appear unto them. And that after such sentence or judgment given, and declaration thereof made and publish'd by her Majesty's proclamation under the great Seal of *England*, all persons against whom such sentence or judgment shall be so given and publish'd, shall be excluded and disabled for ever to have or claim, or to pretend to have or claim, the Crown of this Realm, or of any her Majesty's dominions; any former Law or Statute whatsoever to the contrary in any wise notwithstanding. And that thereupon all her Highness's subjects shall and may lawfully by virtue of this Act, and her Majesty's direction in that behalf, by all forcible and possible means, pursue to death every such wicked person, by whom, or by whose means, assent, or privity, any such invasion or rebellion, shall be in form aforesaid denounced to have been made, or such wicked act attempted, or other thing compass'd or imagin'd against her Majesty's Person, and all their aiders, comforters, and abettors.

And if any such detestable act shall be executed against her Highness's most Royal Person, whereby her Majesty's life shall be taken away (which God of his great mercy forbid) that then every such person by or for whom

any such act shall be executed, and their issues, being any wise assenting or privy to the same, shall by virtue of this Act be excluded and disabled for ever to have or claim, or pretend to have or claim, the said Crown of this Realm, or any other her Highness's dominions, any former Law or Statute to the contrary in any wise notwithstanding. And that all the subjects of this Realm, and all other her Majesty's Dominions, shall and may lawfully by virtue of this Act, by all forcible and possible means, pursue to the death every such wicked person, by whom or by whose means any such detestable fact shall be, in form hereafter express'd, denounc'd to have been committed, and also their issues being any wise assenting or privy to the same, and all their aiders, comforters, and abettors in that behalf.

And to the end that the intention of this Law may be effectually executed, if her Majesty's life be taken away by any violent or unnatural means, (which God defend) Be it further enacted by the authority aforesaid, that the Lords and others, which shall be of her Majesty's Privy Council at the time of such her decease, or the more part of the same Council joining unto them for their assistance five other Earls, and seven other Lords of Parliament at the least, (foreseeing that none of the said Earls, Lords, or Council be known to be Persons that may make any title to the Crown) those persons which were Chief Justices of either Bench, Master of the Rolls, and Chief Baron of the Exchequer at the time of her Majesty's death; or in default of the said Justices, Master of the Rolls, and Chief Baron, some other of those which were Justices of some of the Courts of Records at *Westminster* at the time of her Highness's decease, to supply their places; or any four and twenty, or more of 'em, whereof eight to be Lords of the Parliament, not being of the Privy Council, shall to the uttermost

termoſt of their power and ſkill examine the cauſe and manner of ſuch her Maſteſty's death, and what perſons ſhall be any way guilty thereof, and all circumſtances concerning the ſame, according to the true meaning of this Act; and thereupon ſhall by open Proclamation publiſh the ſame, and without any delay, by all forcible and poſſible means, proſecute to death all their aiders and abettors; for the doing whereof, and for the withſtanding and ſuppreſſing all ſuch power and force, as ſhall be any way levied or ſtirr'd in diſturbance of the due execution of this Law, ſhall by virtue of this Act have power and authority not only to raiſe and uſe ſuch forces as ſhall in that behalf be needful and convenient, but alſo to uſe all other means and things poſſible and neceſſary for the maintenance of the ſame forces, and proſecution of the ſaid offenders. And if any ſuch power and force ſhall be levied and ſtirr'd in diſturbance of the due execution of this Law by any perſon that ſhall or may pretend any title to the Crown of this Realm, whereby this Law may not in all things be fully executed, according to the effect and true meaning of the ſame; that then every ſuch perſon ſhall by virtue of this Act be therefore excluded and diſabled for ever to have or claim, or pretend to have or claim, the Crown of this Realm, or of any other her Highneſs's Dominions, any former Law or Statute whatſoever to the contrary notwithſtanding.

And be it further enacted by the authority aforeſaid, That all and every the ſubjects of all her Maſteſty's Realms and Dominions, ſhall to the uttermoſt of their power aid and aſſiſt the ſaid Council, and all other the Lords and other Perſons, to be adjoin'd to them for aſſiſtance, as is aforeſaid, in all things to be done and executed according to the effect and intention of this Law; and that no ſubject of this Realm ſhall in any

wife be impeach'd in body, land, or goods, at any time hereafter, for any thing to be done or executed according to the tenor hereof, any Law or Statute heretofore made to the contrary in any wise notwithstanding.

And whereas of late many of her Majesty's good and faithful subjects have in the Name of God, and with the testimonies of good consciences, by one uniform manner of writing under their hands and seals, and by their severall oaths voluntarily taken, join'd themselves together in one Bond and Association, to withstand and revenge to the uttermost all such malicious actions and attempts against her Majesty's most Royal Person: Now for the full explaining all such ambiguities and questions, as otherwise might happen to grow by reason of any sinister or wrong construction or interpretation to be made or inferred of or upon the words or meaning thereof; Be it declared and enacted by the authority of this present Parliament, That the same Association and every Article and Sentence therein contain'd, as well concerning the disallowing, excluding, or disabling any person that may or shall pretend any title to come to the Crown of this Realm, as also for the pursuing and taking revenge of any such wicked act or attempt, as is mention'd in the same Association, shall and ought to be in all things expounded and adjudg'd according to the true intent and meaning of this Act, and not otherwise, nor against any other person or persons.



NUMB. VI.

Letters suppos'd to be wrote by the Queen of Scots to Anthony Babington, and by Anthony Babington to the Queen of Scots.

The Queen of Scots Letter to Anthony Babington.

My very good Friend, albeit it be long since you heard from me, not more than I have done from you, it is against my will; yet would I not you should think I have in the mean while, nor ever will be unmindful of the effectual affection you have shewed heretofore towards all that concerneth me. I have understood, that upon the renewing of your intelligence, there were address'd unto you, both from *France* and *Scotland*, some packets for me; I pray you, if any be come to your hands, and be yet in place, to deliver them to the bearer hereof, who will safely convey them unto me; and I will pray to God for your preservation.

*June the 28th,
at Chartley,*

*Your assured good Friend,
Mary Regina.*

Anthony Babington's Letter to the Queen of Scots.

Most mighty, most excellent, my dread Sovereign Lady and Queen, unto whom I owe all fidelity and obedience; it may please your gracious Majesty to admit excuse of my long silence, and discontinuance from those dutiful offices, intercepted upon the remove of your Royal Person from the ancient place of your abode, to the custody of a wicked Puritan, a meer Leicesterian, a mortal enemy both by faith and faction to your Majesty, and to the Catholick Estate. I held

the hope of our Country's weal depending (next under God) upon the Life of your Majesty to be desperate, and thereupon resolv'd to depart the Realm, determining to spend the remnant of my life in such solitary sort, as the miserable and wretched estate of my Country doth require; only expecting, according to the just judgment of God, the present confusion thereof; which God for his mercy sake prevent. The which my purpose being in execution, and standing upon my departure, there was address'd unto me, from the parts beyond the Seas, one *Ballard*, a man of virtue and learning, and of singular zeal to the Catholick Cause, and your Majesty's Service. The man inform'd me of great preparations by the Christian Princes, your Majesty's Allies, for the deliverance of our Country from the extreme and miserable estate, wherein for a long time it hath remained. Which when I understood, my especial desire was, to advise by what means I might, with the hazard of my Life, and all my Friends in general, do your Majesty one day's good service. Whereupon, most dread Sovereign, according to the great care which those Princes have of the preservation and safe deliverance of your Majesty's sacred Person, I advis'd of means, and consider'd of circumstances accordingly, to and with so many of the wisest and most trusty, as with safety I might commend the secrecy thereof unto: I do find, by the assistance of the Lord Jesus, assurance of good effect, and desired fruit of our travel. These things are first to be advis'd in this great and honourable action, upon issue of which dependeth, not only the Life of your most excellent Majesty, which God long preserve, to our inestimable comfort, and to the salvation of *Engliss* souls, and all us actors therein, but also the honour and zeal of our country, far more dear than our lives unto us, and the last hope ever to recover the
faith

faith of our forefathers, and to redeem our selves from the servitude and bondage, which hereby heretofore hath been impos'd upon us to the loss of many thousand souls. First in the assuming of invasions, sufficient strength on the invaders parts to arrive are appointed, with a strong party at every place, to join with them, and warrant their landing, the deliverance of your Majesty, the dispatch of the usurping Competitor. For the effecting of all, may it please your Majesty to rely upon my service, I protest before the Almighty, who hath long miraculously preserved your Royal Person, no doubt, to some universal good, that what I have said shall be performed, or all our lives happily lost in the execution thereof. Which vow all the chief actors have taken solemnly, and are upon assurance by your Majesty's to me, to receive the blessed Sacrament thereupon, either to prevail in the Church's behalf, and your Majesty's, or fortunately to die for so honourable a Cause. Now, forasmuch as delays are extreme dangerous, it might please your excellent Majesty, by your Wisdom to direct us, and by your Princely Authority to enable us, and such as may advance the Affairs: Foreseeing there is not any of the Nobility, at liberty, assur'd to your Majesty in this desperate service, except unknown unto us; and seeing that it is very necessary that some there should be to become Heads to lead the Multitude, who are disposed by nature in this land to follow Nobility; considering withal, it doth not only make the Commons and Country to follow without contradiction or contention, which is ever found in equality, but also doth add great Courage to the Leaders. For which necessary regards, I would recommend some to your Majesty as fittest in my knowledge to be your Lieutenants, in the West Parts, in the North Parts, South-Wales and North-Wales, the Countries of *Lancaster*, *Derby* and *Stafford*. In all which Countries,
Parties

Parties being already made, and fidelity taken in your Majesty's Name, I hold them as most assur'd, and of undoubted Fidelity. My self, with ten Gentlemen of Quality, and an hundred followers, will undertake the delivery of your Person from the hands of your enemies. And for the dispatch of the Usurper, from Obedience of whom by the Excommunication of her we are made free, there be six noble Gentlemen, all my private Friends, who for the zeal they bear to the Catholick Cause, and your Majesty's Service, will undertake the tragical Execution. It resteth, that according to their infinite deserts, and your Majesty's bounty, their heroical Attempts may be honourably rewarded in them, if they escape with Life, or in their Posterity; and that so much by your Majesty's Authority I may be able to assure them. Now it remaineth only in your Majesty's wisdom, that it be reduc'd into method, that your happy deliverance be first, for that thereupon dependeth the only good, and that the other circumstances concur; that the untimely end of the one do not overthrow the rest. All which your Majesty's wonderful experience and wisdom will dispose in so good a manner, as I doubt not, through God's Assistance, shall take deserv'd effect; for the obtaining of which, every one of us shall think his Life most happily spent. Upon the twelfth day of this month I will be at *Litchfield*, expecting your Majesty's Answers and Letters, to execute what by them shall be commanded.

*Your Majesty's
faithful Subject,
and sworn Servant,
Anthony Babington.*

The

*The Queen of Scots's Answer to a Letter written
by Anthony Babington.*

Truſty and well-beloved, according to the zeal and entire affection which I have known in you towards the common cauſe of Religion and mine, having always made account of you as a principal and right worthy Member to be employ'd both in the one and in the other; it hath been no leſs conſolation unto me to know your Eſtate, as I have done by your laſt Letter, and to have further means to renew my intelligence with you, than I have felt griefs all this while paſt, to be without the ſame. I pray you therefore to write unto me hereafter, as often as you can, of all concurrents, which you may judge in any ſort importunate to the good of mine Affairs, wherein I ſhall not fail to correſpond with all the care and diligence that ſhall be by poſſibility. For divers great and importunate conſiderations, which were here too long to be deducted, I cannot but greatly praiſe and commend your common deſire to prevent in time the deſignment of our Enemies, for the extirpation of our Religion out of this Realm, with the Ruin of us all; for I have long ago ſhew'd to the foreign Catholick Princes, what they have done againſt the King of *Spain*, and in the time the Catholicks here remaining, expos'd to all Perſecutions and Cruelty, do daily diminish in number, forces, means, and power, ſo as if Remedy be not thereunto ſpeedily provided, I fear not a little, but that they ſhall become altogether unable for ever to ariſe again to receive any Aid at all, whenſoever it is offered. Then for my own part, I pray you aſſure our principal Friends, that albeit I had no particular intereſt in this caſe, that all that I may pretend
unto

unto being of no consideration to me in respect of the publick good of the State, I shall be always ready and most willing to employ therein my life, and all that I have, or may look for in this world. Now to ground substantially this enterprize, and to bring it to good success, you must examine duly,

First, What Forces, as well on foot as on horse, you may raise among you all; and what Captains you shall appoint for them in every Shire, in case a General cannot be had.

Secondly, Which Towns, Ports, and Havens you may assure your selves, as well on the North, West, and South, to receive Succours, as well from the Low-Countries, *Spain* and *France*, as from other parts.

Thirdly, What place you esteem fittest, and of most advantage to assemble the principal Company of your Forces at the same time, which would be compassed conform to the proportion of your own.

Fourthly, For how long pay and munition, and Ports fittest for their landing in this Realm, from the foresaid three foreign Countries.

Fifthly, What provision of monies and armor, in case you should want, you would ask.

Sixthly, By what means do the six Gentlemen deliberate to proceed.

Seventhly, The manner of my getting forth of this Hold.

Which points having taken amongst you, who are the principal Actors, as also as few in number as you can, the best resolution in my device is, That you impart the same with all diligence to *Bernardin de Mendoza*, Ambassador Lieger for the King of *Spain* in *France*, who, besides the experience he hath of the Estate on this side, I may assure

assure you, will employ himself most willing: I shall not fail to write to him of the matter, with all the Recommendations I can, as also, I shall do in any wise what shall be needful. But you must take choice Men for the managing of the Affairs with the said *Mendoza*, and others out of the Realm, of some faithful and very secret, both in Wisdom and Personage, unto whom only you must commit your selves, to the end things may be kept the more secret, which for your own security I commend to your self. If your Messenger bring you back again sure Promise, and sufficient assurance of the Succours which you demand, then hereafter (but not sooner, for that it were in vain) take diligent order, that all those on your part make secretly as they can provision of Armour, fit Horses, and ready Money, wherewith to hold themselves in a readiness to march so soon as it shall be signify'd unto you by the Chief and Principal of every Shire. And for the better colouring of the matter, reserving to the Principals the knowledge of the Ground of the Enterprize, it shall be enough at the beginning to give it out to the rest, that the said Provisions are made only for the fortifying of your selves, in case of need, against the *Puritans* of this Realm, the Principal whereof having the chief Forces thereof in the Low-Countries, as you may let the bruit go disguised, do seek the ruin and overthrow at their return home of the Catholicks, and to usurp the Crown, not only against me and all other lawful Preterders thereto, but against their own Queen that now is, if she will not altogether submit herself to their Government. These pretexts may serve to found and establish among all Associations or Confederations general, as done only for your Preservation and Defence, as well in Religion as Lands, Lives and Goods, against the Oppression and Attempts of the said Puritans; without directly writing

or

or giving out any thing against the Queen, but rather shewing your selves willing to maintain her and her lawful Heirs after her, not naming me. The Affairs being thus prepared, and Forces in readines, both without and within the Realm, then shall it be time to set the six Gentlemen on work, taking good order upon the accomplishment of their discharges I may be suddenly transported out of this place; and meet without tarrying for the arrival of the foreign Aid, which then must be hasten'd with all diligence. Now for that there can be no certain day appointed for the accomplishment of the said Gentlemens designment, to the end others may be in a readines to take me from hence; I would that the said Gentlemen had always about them, or at least at Court, divers and fundry Scoutmen, furnished with good and speedy Horses, so soon as the Design shall be executed, to come with all diligence to advertise me thereof, and those that shall be appointed for my transporting; to the end, that immediately after they may be at the place of my abode, before my keeper can have advertisement of the execution of the said designment, or at the least, before he can fortify himself within the House, or carry me out of the same. It were necessary to dispatch two or three of the said Advertisers by divers ways, to the end, if one be staid, the other may come through. At the same instant it were needful also to assay, to cut off the Posts ordinary ways. This is the Plot that I think best for this Enterprize, and the order whereby we shall conduct the same for our common security; for stirring on this side before you be sure of sufficient foreign Forces, that were for nothing but to put our selves in danger of following the miserable fortune of such as have heretofore travelled in the like Actions; and if you take me out of this place, be well assur'd to set me in the midst of a good Army, or some very good Strength, where
I may

I may safely stay 'till the assembly of your Forces, and arrival of the said foreign Succours. It were sufficient cause given to the Queen, in catching me again, to inclose me in some Hold, out of the which, I should never escape, if she did use me no worse, and to pursue with all extremity those that assisted me, which would grieve me more than all the unhappiness might fall upon my self. Earnestly as you can, look and take heed most carefully and vigilantly to compass and assure all so well, that shall be necessary for the effecting of the said Enterprize, as with the grace of God you may bring the same to happy end; remitting to the judgment of your principal Friends on this side, with whom you have to deal, therein to ordain and conclude upon these points, which may serve you for an Overture of such Propositions, as you shall amongst you find best; and to your self in particular, I refer the Gentlemen aforementioned, to be assur'd of all that should be requisite for the entire execution of their good-wills. I leave their common resolution to advice; in case the design do not take hold, as may happen whether they will or no, do not pursue my transport, and the execution of the rest of the Enterprize. But if the mishap should fall out, that you might not come by me, being set in the Tower of *London*, or in any other strength, with strong Guard; yet notwithstanding, leave not for God's sake to proceed in the Enterprize; for I shall at any time dye most contentedly, understanding of your delivery out of the servitude wherein you are holden as slaves. I shall assay, that at the same time that the work shall be in hand, at that present to make the Catholicks of *Scotland* to arise, and put my Son into their hands, to the effect, that from thence our enemies here may not prevail by any succour. I would also that some stirring were in *Ireland*, and that it were labour'd to begin some time before any thing be

I done

done here, and then that the Alarm might begin thereby on the flat contrary side, that the stroke may come from your designs, to have some general or chief aid very permanent; and therefore were it good to send obscurely for the purpose to the Earl of *Arundel*, or some of his Brethren, and likewise to seek to the young Earl of *Northumberland*, if he be at liberty from over the sea; the Earl of *Westmoreland* may be had, whose hand and name you know may do much in the North parts; also the Lord *Paget*, of good ability in some Shires thereabouts; both the one and the other may be had; amongst whom secretly some more principal banish'd may return, if the enterprise be once resolute. The said Lord *Paget* is now in *Spain*, and may treat of all that by his brother *Charles*, directly by himself you will commit unto him touching the affairs. Beware that none of your messengers, that you send forth of the Realin, carry any Letters upon themselves, but make their dispatches, and send them either after or before them by some others. Take heed of spies and false brethren that are amongst you, especially of some Priests, already practised upon by your Enemies for your discovery; and in any case keep never a Paper about you, that may in any sort do harm; for from like Errors have come the condemnation of all such as have suffer'd heretofore, against whom otherwise nothing could justly have been prov'd. Discover, as little as you can, your names and intentions to the *French* Ambassadour, now Leiger at *London*; for although, as I understand, he is a very honest Gentleman, yet I fear his Master entertaineth a course far contrary to our designment, which may move him to discover us, if he had any particular knowledge thereof. All this while I have sued to change and remove from this house; and for answer, the Castle of *Dudley* only hath been nam'd to serve the turn; so as by appearance by the end of this summer

summer I may go thither; therefore advise so soon as I shall be there, what provision may be had about that part, for my escape from thence. If I stay here there is but one of these three ways or means to be lookt for.

The first, that at a certain day appointed for my walking abroad on horseback on the Moors, between this and *Stafford*, where ordinarily, you know, but few People do pass, let fifty or threescore Horsemen, well mounted and arm'd, come to take me away, as they may easily; my Keeper having with him but eighteen or twenty Horses, with only Dogs.

The second means, to come at midnight, or soon after, and set fire on the barns and stables, which you know are near the house; and whilst my Guardian's servants shall come forth to the Fire, your company having duly on a mark, whereby they may be known one from another, some of you may surprize the House, where I hope, with the few servants I have about me, I shall be able to give you correspondent Aid.

And the third is, some there be that bring Carts hither early in the morning, three Carts may be so prepar'd, that being in the midst of the great Gate, the Carts might fall down or overthrow; that thereupon you might come suddenly, and make your selves Masters of the house, and carry me suddenly away; so you might easily do, before any number of Soldiers, who lodge in sundry places forth of this place, some half a mile, and some a whole mile, could come to relieve. Whatsoever Issue the matter taketh, I do and shall think my self oblig'd, so long as I live, towards you, for the offers you make to hazard your self as you do for my deliverance; and by any means that ever I may have, I shall do my endeavour to recognize by Effects your deserts; therein I have commanded a more ample Alpha-

bet to be made for you, which herewith you shall receive. God Almighty have you in his protection.

Your assured Friend for ever,

Mary Regina.

Fail not to burn this privately and quickly.



NUMB. VII.

A Representation laid before Queen Elizabeth at Richmond on the 12th of November, 1586. by Sergeant Puckering, Speaker of the House of Commons, of the divers apparent and imminent dangers that might grow to her Royal Person, and her Realm, from the Scottish Queen and her Adherents, if remedy were not provided.

I. Touching the danger of her Majesty's Person.

1. Both this *Scottish* Queen and her Favourers do think her to have Right not only to succeed, but to enjoy your Crown in possession; and therefore as she is a most impatient Competitor, so will she not spare any means whatsoever, that may bereave us of your Majesty, the only impediment that she enjoyeth not her desire.

2. She is obdurate in malice against your Royal Person, notwithstanding you have shew'd her all favour and mercy, as well in preserving her Kingdom, as saving her life, and salving her honour. And therefore there is no place for mercy, since there is no hope she will desist from most wicked Attempts, the rather for that her malice appeareth such, that she maketh (as it were) her Testament of the same, to be executed after her death, and appointeth her Executors to perform it.

3. She openly and boldly professed it lawful for her to move Invasion upon you; and therefore as of Invasion victory may ensue, and of victory the death of the vanquish'd; so did she thereby not obscurely bewray, that she thought it lawful for her to destroy your sacred Person.

4. She thinks it not only lawful, but honourable also, and meritorious to take your life from you, as being already depriv'd of your Crown by the Excommunication of the Holy Father, and therefore it is like she will (as hitherto she hath done) continually seek it by whatsoever means.

5. That she is greedy of your Majesty's death, and preferred it before her own life and safety. For in her direction to one of her late Complices, she advis'd under covert terms that whatsoever should become of her, that Tragical Execution should be perform'd on you.

II. Touching the danger of the overthrow of the true Religion.

1. It is most perilous to spare her, that continually hath sought the overthrow and suppression of true Religion, infected with Popery from her tender Youth, and being after confederate in that Holy League when she came to age, and ever since a professed enemy against the Truth.

2. She resteth wholly upon Popish hopes to deliver and advance her, and is thereby so devoted to that Profession, that as well for satisfaction of others, as for feeding of her own humour, she will supplant the Gospel, where and whensoever she may; which Evil is so much the greater, and the more to be avoided, as that it slayeth the very soul, and will spread it self not only over *England* and *Scotland*, but also in those parts beyond sea, where the Gospel of God is maintain'd, the

which cannot but be exceedingly weaken'd by the defection of this noble Island.

III. Touching the peril of the State of the Realm.

1. As the *Lydians* said, *Unum Regem agnoscunt Lydi, duos autem tolerare non possunt*; so we say, *Unicam Reginam Elizabetham agnoscunt Angli, duas autem tolerare non possunt*.

2. As she hath already by her Allurements brought to destruction more Noblemen and their houses, together with a greater multitude of the Commons of this Realm, during her being here, than she should have been able to do, if she had been in possession of her own Crown, and armed in the Field against us; so will she be the continual cause of the like Spoils, to the greater loss and peril of this Estate; and therefore this Realm neither can nor may endure her.

3. Again, She is the only hope of all discontented Subjects; she is the foundation whereon all the evil-disposed do build; she is the root from whence all Rebellions and Treacheries do spring; and therefore whilst this hope lasteth, this foundation standeth, and this root liveth, they will retain heart, and set on foot all their devices against the Realm, which otherwise will fall away, dye, and come to nothing.

4. Mercy now in this case towards her would in the end prove Cruelty against us all, *Nam est quaedam crudelis misericordia*, and therefore to spare her is to spill us

5. Besides, It will exceedingly grieve, and in a manner deadly wound the hearts of all good Subjects of your Land, if they shall see a Conspiracy so horrible not condignly punish'd.

6. Thousands of your Majesty's most liege and loving Subjects of all sorts and degrees, that in a tender zeal of your Majesty's safety have most willingly, both
by

by open Subscription and solemn Vow, enter'd into a firm and loyal Association, and have thereby protested to pursue unto the death by all forcible and possible means such as she is by just Sentence found to be, can neither discharge their Love, nor well save their Oaths, if your Majesty shall keep her alive; of which Burden your Majesty's Subjects are most desirous to be reliev'd, as the same may be, if Justice be done.

7. Lastly, Your Majesty's most loving and dutiful Commons doubt not, but as your Majesty is duly exercis'd in reading the Book of God, so it will please you to call to your Princely Remembrance, how fearful the Examples of God's Vengeance be, that are to be found against King *Saul* for sparing King *Agag*, and against King *Ahab* for saving the Life of *Benhadad*; both which were by the just Judgment of God depriv'd of their Kingdoms, for sparing those wicked Princes, whom God had deliver'd into their hands of purpose to be slain by them, as by the Ministers of his eternal and divine Justice; wherein full wisely *Solomon* proceeded to punishment, when he took the life of his own natural brother *Adonias*, for the only intention of a marriage that gave suspicion of Treason against him.

Herein we your Majesty's most loving and dutiful Subjects earnestly depend upon your Princely Resolution, which we assure our selves shall be to God most acceptable, and to us no other than the State of your Regal Authority may afford us, and the approv'd Arguments of your tender care for our safety under your Charge doth promise to our expectation.



NUMB. VIII.

Secretary Davison's Apology; from a MS. in the possession of a Person of Quality.

On *Wednesday* the first of this present about ten of the of the Chamber unto me, to let me understand that her Majesty had call'd for Privy-Chamber, I found his Lordship there, who told me the cause of my sending for, having first summarily discours'd unto me, some Speech that had pass'd that morning, betwixt her Majesty and him, touching the Execution of the *Scottish* Queen; the conclusion whereof was, that she would no longer defer it, and therefore had commanded him to send expressly for me, to bring the Warrant unto her. Whereupon returning to my Chamber, I took both that and divers other things to be sign'd for her service, and returning up, sent in Mrs. *Brooke*, to signify my being there, to her Majesty, who immediately called for me. At my coming in, her Majesty first asking me whether I had been abroad that fair morning, advising me to use it oftner, and reprehending me for the contrary, finally demanded what I had in my Hands: I answer'd divers Warrants and other things to be sign'd for her service; she enquired, whether my Lord Admiral had not sent for me, and whether I had not brought up the Warrant for the Queen of *Scots*. I answered, yes, and thereupon calling for it, I delivered it into her Hands; after the reading whereof, she calling for Pen and Ink sign'd it; and laying it from her, ask'd me whether I were not heartily sorry it was done? Mine Answer was, that I was

was sorry a Lady so near in Blood to herself, and of her Place and Quality, should so far forget her duty both to God and her Majesty, as to give her this cause; but sithens this act of her Majesty was in all mens opinions of that Justice and Necessity, that she could not defer it, without the manifest danger of her Person and State, I could not be sorry to see her Majesty take this course of removing the Cause of that danger, which threatned the one and the other, protesting nevertheless, that for my own part I was so far from thirsting after the Blood of that unhappy Lady, that if there had been any other way to preserve her Majesty and the State from mischief than by taking her life, I could not have wished it; but the case standing so in the opinion of all men, that either her Majesty or she must die, I must confess freely, that I preferr'd the death of the guilty before the innocent. After this, she commanded me to carry it to the Seal, and to give my Lord Chancellor orders from her, to use it as secretly as might be, and by the way, to shew it to Mr. Secretary *Walsingham*, because she thought the grief thereof would kill him outright, for so it pleas'd her Majesty to say of him. This done, she call'd for the rest of the Warrants and other things I had to sign, and dispatched them all with the best disposition and willingness that might be, in the mean time repeating unto me some reasons why she had so long deferred the matter, as namely for her honours sake, that the World might see she had not been violently or maliciously drawn into it: she concluded she was never so ill advis'd as not to see and apprehend her own danger and the necessity that she had to proceed to this Execution. And thereupon, after some other intermingled speech here and there, she told me, that she would have it done as secretly as may be, and misliking

that it should be executed in the open court or green of the Castle, expressly willed, that it should be done in the hall; which I take to be certain arguments both of her meaning it should be done, and in the form prescribed in the Warrant; but after I had gathered up my Papers, and was ready to depart, she fell into some complaint of Sir *Amias Poulet*, and others; that might have eas'd her of this burthen, wishing me yet to deal with Mr. Secretary, and that we would jointly write unto Sir *Amias*, and Sir *Drue Drury* to sound their dispositions, aiming still at this, that it might be so done as the blame might be removed from her self; and tho' I had always before refused to meddle therein upon sundry her Majesty's former M^otions, as a thing I utterly condemn'd, yet was I content, as I told her, for her satisfying to let Sir *Amias* understand what she expected at his hands, albeit I did before assure my self it should be so much labour lost, knowing the wisdom and integrity of the Gentlemen, who I thought would not do an unlawful act for any respect in the world. But finding her Majesty desirous to have him sound'd in this behalf, I departed from her Majesty with promise to signify so much unto Mr. Secretary, and that we would both acquaint Sir *Amias* with this her pleasure: And here repeating unto me again, that she would have the Matter closely handled, because of her danger, I promised to use it as secretly as I could, and so for that time departed. That afternoon I repaired to my Lord-Chancellor, where I procur'd the Warrant to be seal'd, having in my way visited Mr. Secretary, and agreed with him about the form of the Letter that should be written for her Majesty's satisfying to Sir *Amias Poulet* and Mr. *Drury*, which at my return from my Lord-Chancellor was dispatch'd. The next morning I received a letter from *Cranmer* my
servant,

servant, whom I left at Court, signifying to me her Majesty's pleasure, that I should forbear to go to my Lord-Chancellor 'till I had spoken with her; and within an hour after came *William Killgrew* with the like message from her, whom I return'd with this answer; that I would be at the Court so soon as himself, and give her Majesty an account of what I had done. At my coming to her, she ask'd me whether I had been with my Lord-Chancellor; I told her, yes. She demanded what needed that hast. I answered, I had done no more than she commanded, and thought it no matter to be dally'd withal. But saith she, methinks the best and safest way for me is to have it otherways handled, particularizing a form, that as she pretended lik'd her better, naming unto me some that were of that opinion whose judgment she recommended. I answer'd, that I took the honourable and just way to be the best and safest way, if she meant to have it done at all, whereto her Majesty replying nothing for that time, left me and went to dinner. Within a day or two after, her Majesty being in the Privy-Chamber, call'd me unto her, and smiling, told me how she had been troubled that night with me, upon a dream she had, that the *Scots* Queen was executed, pretending to have been so troubled with the news, as if she had had a sword she could have run me through. But this being delivered in a pleasant and smiling manner, I answer'd her Majesty, that it was good for me I was not near her so long as that humour lasted; but taking hold of her Speech, I ask'd her Majesty in great earnest what it meant? and whether having proceeded thus far, she had not a meaning to go forward with the execution? Her answer, confirmed with a solemn oath in some vehemency was, yes; but she thought it might receive a better form, because, saith she, this
casteth

casteth the whole burthen upon my self. Whereunto I reply'd, that the form prescrib'd by her Warrant was what the law required, and the only form that was to be kept in honour and justice. She answered, that there were wiser men than my self of another opinion. I told her that I could not answer for other men, but this I was sure of, that I never heard any man give a sound reason to prove it honourable or safe for her Majesty to take any other course than that which standeth with Law and Justice, and so without further replication or speech at that time, her Majesty rose up and left me. The same afternoon, as I take it, she ask'd me whether I had heard from Sir *Amias Poulet*, I told her no; but within an hour or two after going to *London*, I met with letters from him, in answer to those were written to him by Mr. Secretary and my self. The next morning having access to her Majesty upon some other occasion, I told her, that I had letters from Mr. *Poulet*; which her Majesty desirous to see, took and read, but finding thereby, that he was grieved with the motion made unto him, offering his life and all he had to be disposed by his Majesty, but absolutely refusing to be an instrument in any such action as was not warranted in honour and justice: Her Majesty falling into some terms of offence, complaining of the daintiness, and as she term'd it, perjury of him and others, who, contrary to their oath of Association, did cast the burthen upon her self, she rose up, and after a turn or two went into the gallery, whither I followed her, and there renewed her former speech, blaming the niceness of those precise fellows, who in words would do great things for her safety, but in deed perform nothing, and concluded she would have it done without them. And here entring into particularities, named unto me as I remember one

Wingfield,

Ivingfield, who she assured me would with some others undertake it; which gave me occasion to shew unto her Majesty how dishonourable, in my poor opinion, any such course would be, and how far off she would be from shunning the blame and stain thereof, which she so much sought to avoid. And here falling particularly into the case of Sir *Amias Poulet*, and Sir *Drue Drury*, told her, that it was a marvellous extremity she would have expos'd these Gentlemen unto; for if in a tender care for her surety they should have done that she desired, she must either allow their act or disallow it; if she allowed it, she took the matter upon her self with her infinite dishonour; if she disallow'd it, she overthrew these faithful Gentlemen; who she knew did truly and faithfully love her, and not only themselves, but their whole estate and posterity, and therefore thought this a dangerous and dishonourable course both for her self and them. And so after some particular speech of Mr. Secretary and others, touching some matters past heretofore, her Majesty calling to understand whether it were time to go to the closet, broke off our discourse. At my next access to her Majesty (which I take it, was *Tuesday*, the day before my coming to Court) having certain things to be sign'd, her Majesty entered of her self into some earnest discourse of the danger she daily liv'd in, and how it was more than time this matter were dispatched, swearing a great oath, that it was a shame for them all it was not already done, and therefore spake unto me to have a letter written to Mr. *Poulet* for the dispatch thereof, because the longer it was deferr'd, the more her danger encreas'd; wheretoknowing what order had been taken by my Lords in sending the commission to the Earls, I answer'd, that there was no necessity as I thought of such a letter, the Warrant being

being so general and sufficient as it was. Her Majesty reply'd little else, but that she thought Mr. *Poulet* would look for it; and this, as near as I can possibly remember, is a faithful and true report of the whole substance of that hath past betwixt her Majesty and me, from the day of signing the Warrant, and commandment given to me to carry it unto the Seal, until the hour of my departure from Court: in all which I must protest unfeignedly before God, that I neither remember any such commandment given me by her Majesty as is pretended, neither did I ever conceive such an intent or meaning in her; and that mine innocency herein may the better appear, let it be considered, first, what the commandment is, and next, upon what considerations it was grounded. The commandment (as I understand it) hath two parts, one, that I should conceal it from the rest of her Majesty's Council; another, that I should retain it by my self until some tumultuous time; as a thing her Majesty meant not otherwise to put in execution, both which I must in all duty and humbleness, under her most gracious favour, absolutely deny: And for the first, I trust her Majesty in her princely and honourable nature will not deny, but that she first sent for me by my Lord-Admiral to bring the Warrant unto her, which proveth that his Lordship was acquainted with her purpose, and next, that she gave me express word both to carry it forthwith to the Seal with a message to my Lord-Chancellor, who consequently must be acquainted with all, and also by the way to impart it to Mr. Secretary: So as these three being made privy unto it by her own good liking, and my self as I say not restrained from the contrary by any such commandment as is pretended, what reason had I to conceal it from my Lord-Treasurer, to whom my Lord-Admiral had first imparted it, or from my Lord of

Leicester,

Leicester, to whom her Majesty is

signify'd as much, as likewise afterwards
to Mr. Vice-Chamberlain

as they are acquainted with the rest of the whole proceeding, and as far interested in the cause as my self or any of the others? unless her Majesty had a meaning that Mr. Secretary and I should have dealt alone in the sending of it to the Earls, which for my own part I confess I never lik'd, knowing her Majesty's purpose, often uttered to my self, to remove as much of the burthen as she might from her own Shoulders upon others, which I knew mine own unfit to sustain. Now seeing the end of signing and sealing this Warrant, in all reasonable probability and judgment, was to go forward withal, that the delay thereof did infinitely encrease her Majesty's peril, and thereby hazard the whole Estate, seeing it was imparted to some by her Majesty's own order, and no cause or possibility, being sealed, to keep it from the rest as much interested in the cause as my self; And finally, seeing I could neither, as I take it, in Law nor in the duty of a good subject conceal it from them, the cause importing so greatly her Majesty's life as it did, and the disposition both of the time and state of things at home and abroad being such as it was, I trust it shall sufficiently appear that I was both in reason, duty, and necessity, forced thereunto, unless I would have willfully endanger'd my self, whose offence, if ought in the mean time had happen'd amiss to her Majesty, must have been in my own censure, worthy of a thousand deaths; and as for my proceeding therein with the rest of my Lords, after it was resolved, that it was neither fit nor convenient to trouble her Majesty any further withal, considering she had done all that the Law requir'd

at her hands, and that she had both to my self and others signify'd at other times her indisposition to be acquainted with the particular circumstances of time, place, &c. and that to detain the Warrant in expectation of any further directions from her self was both needless and dangerous, considering the hourly hazard her Majesty liv'd in; and finally, that my Lords, knowing her Majesty's unwillingness to bear all the burthen alone, were content most resolutely, honourably, and dutifully to ease her as much as they might; with what Reason and Justice should I have hindered the course of Justice tending so greatly to her Majesty's safety, and preservation of the whole Realm? And for the other part of keeping it by me to such end as is before alledged, I trust the World does not hold me so undutiful to her Majesty, or ill-advised for my particular, as to take such a Charge upon me, to the evident peril of her Majesty's Life, Subversion of the whole Estate, and my own utter Overthrow. Neither is there cause to think (I speak it in all Reverence, and under her Majesty's most gracious Favour) that her Majesty having proceeded so far as she had done to the tryal of that Lady's Fact, found her guilty by a most honourable Jury of her Nobility, assembled her Parliament only for that purpose, graciously heard their Petitions, and dismissed them with so great hope, published afterwards the Proclamation for her Dishabilment, rejected the Suits both of the *French* and *Scotish* Kings for her Life, and returned their Ambassadors hopeless, confirmed that impression by her Letters to both Princes (some of which it pleased Her to communicate with my self) protested many hundred times her necessity and resolution to go through withall (albeit for sundry good respects she had so long deferred it) having given her

Com-

Commandment to me many days before to bring up the Warrant unto her, and then voluntarily sent for it by my Lord Admiral, signing it as soon as I brought it, with her express Commandment given me to carry it to the Seal, and to have it secretly handled; and finally, her particular Direction, while she was signing other things at the same time, to have the Execution done in the Hall, misliking that it should be on the Green or open Court, with a number of other foregoing and following Circumstances, may sufficiently testify her Majesty's disposition to have it proceeded in, albeit she had to my self and others declared her unwillingness to be made acquainted with the time and other circumstances, having done all that the Law required of her, or that in Honour was fit and expedient for her.

Letters referr'd to in the preceding Apology, and found amongst Sir Amias Poulet's Writings.

A Copy of a Letter from Sir F. Walsingham and Secretary Davison to Sir Amias Poulet.

After our hearty Commendations, we find by Speech lately uttered by her Majesty, that she doth note in you both a lack of that Care and Zeal for her Service that she looketh for at your hands, in that you have not in all this time (of your selves without other provocation) found out some way to shorten * the that Queen, considering the great peril she is hourly subject to so long as the said Queen shall live. Wherein besides a kind of lack of Love towards her, she noteth greatly that

* 'Tis thus in the MS.

you have not that care of your own particular safeties, or rather of the preservation of Religion, and the publick good and prosperity of your Country, that Reason and Policy commandeth; especially having so good a Warrant and Ground for the Satisfaction of your Consciences towards God, and the Discharge of your Credit and Reputation towards the World, as the Oath of the Association, which you both have so solemnly taken and vowed: Especially, the matter wherewith she standeth charged, being so clearly and manifestly proved against her. And therefore she taketh it most unkindly that Men professing that Love towards her that you do, should in a kind of sort for lack of the discharge of your duty cast the burthen upon her, knowing as you do her indisposition to shed blood, especially of one of that Sex and Quality, and so near to her in blood as the said Queen is. These respects we find do greatly trouble her Majesty, who we assure you hath sundry times protested, that if the regard of the danger of her good Subjects and faithful Servants did not more move her than her own peril, she would never be drawn to assent to the shedding of her blood. We thought it very meet to acquaint you with these Speeches lately pass'd from her Majesty, referring the same to your good Judgment. And so we commit you to the protection of the Almighty.

*At London, 1 Feb^y 1586,
To the Right Honourable Sir
Amias Poulet, Kt. one of her
Majesty's most Honourable
Privy Council.*

Your most assured Friends,

*Fra. Walsingham,
William Davison.*

This Letter was received at *Forberingay* the 2^d of *February* at 5 in the Afternoon.

An

An Abstract of a Letter from Mr. Secretary Davison of the said first of February 1586, as followeth.

I pray you let both this and the inclosed be committed to the fire, which measure shall be likewise met to your Answer, after it hath been communicated to Her Majesty for her satisfaction.

A Postscript in a Letter from Mr. Secretary Davison of the third of February 1586.

I intreated you in my last Letters to burn both the Letters sent unto you for the Arguments sake; which by your Answer to Mr. Secretary (which I have seen) appeareth not to be done. I pray you let me intreat you to make Hereticks both of th'one and th'other, as I mean to use your's after her Majesty hath seen it.

In the End of the Postscript.

I pray you let me know what you have done with my Letters, because they are not fit to be kept, that I may satisfy her Majesty therein, who might otherwise take offence thereat, and if you intreat this Postscript in the same kind, you shall not err a whit.

A. Poulet.

D. Drury.



E c

A Copy

A Copy of a Letter to Sir Francis Walsingham of the 2^d of February 1586, at six in the Afternoon, to the Answer of a Letter from the said Sir Francis of the first of February 1586, received at Fotheringhay the 2^d day of the said Month at five in the Afternoon.

SIR,

Your letters of yesterday coming to my hands this present day at five in the afternoon, I would not fail according to your direction to return my answer with all possible speed, which I shall deliver unto you with great grief and bitterness of mind, in that I am so unhappy to have lived to see this unhappy day, in which I am required, by direction from my most gracious Sovereign, to do an act which God and the Law forbiddeth. My goods, livings, and life are at her Majesty's disposition, and I am ready to lose them this next morrow, if it shall so please her, acknowledging that I hold them as of her mere and most gracious favour, and do not desire to enjoy them but with her Highness's good liking. But God forbid that I should make so foul a shipwreck of my Conscience, or leave so great a blot to my poor posterity, to shed blood without law and warrant, trusting that her Majesty of her accustomed clemency, and the rather by your good Mediation, will take this my dutiful answer in good part, as proceeding from one who will never be inferior to any christian subject living, in duty, honour, love, and obedience towards his Sovereign. And thus I commit you to the mercy of the Almighty.

From Fotheringhay,

2^d of February,

1586.

Your most assured poor Friend,

A. Poulet.

Your letters coming in the plural number, seem to be meant as well to Sir *Drue Drury*, as to my self; and yet because he is not named in them, neither the letter directed unto him, he forbeareth to make any particular answer, but subscribeth in heart to my opinion.

D. Drury.

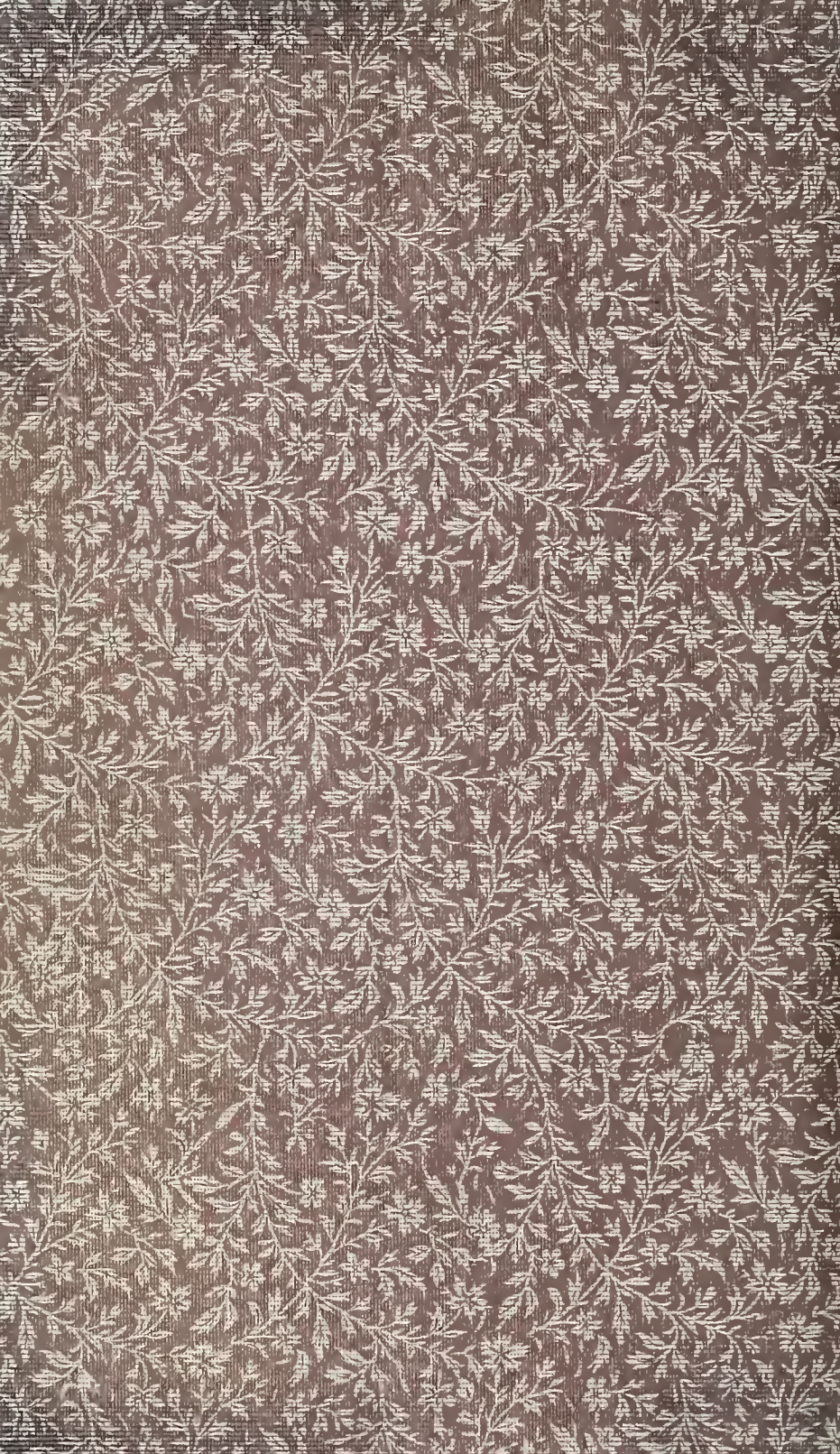
F I N I S.

ERRATA.

Page 64. line 13. after *give dele in.* p. 156. l. 6. for Sir *Tho. Knolles*, read Sir *Franc. Knolles*.



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